

MEETING RECORD

NAME OF GROUP: PLANNING COMMISSION

DATE, TIME AND PLACE OF MEETING: Wednesday, May 24, 2006, 1:00 p.m., City Council Chambers, First Floor, County-City Building, 555 S. 10th Street, Lincoln, Nebraska

MEMBERS IN ATTENDANCE: Jon Carlson, Gene Carroll, Michael Cornelius, Dick Esseks, Gerry Krieser, Roger Larson, Mary Strand, Lynn Sunderman and Tommy Taylor; Marvin Krout, Brian Will, Steve Henrichsen, Mike DeKalb, Tom Cajka, Greg Czaplewski, David Cary, Sara Hartzell, Jean Walker and Teresa McKinstry of the Planning Department; media and other interested citizens.

STATED PURPOSE OF MEETING: Regular Planning Commission Meeting

Chair Jon Carlson called the meeting to order and requested a motion approving the minutes for the regular meeting held May 10, 2006. Motion for approval made by Carroll, seconded by Larson and carried 9-0: Carlson, Carroll, Cornelius, Esseks, Krieser, Larson Sunderman, Strand and Taylor voting 'yes'.

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

May 24, 2006

Members present: Carlson, Carroll, Cornelius, Esseks, Krieser, Larson, Strand, Sunderman and Taylor.

The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 06028; SPECIAL PERMIT NO. 06032; ANNEXATION NO. 06009; CHANGE OF ZONE NO. 05002A, an amendment to The Links at Lincoln Planned Unit Development; and STREET AND ALLEY VACATION NO. 06002.**

Ex Parte Communications: None.

Strand moved to approve the Consent Agenda, seconded by Carroll and carried 9-0: Carlson, Carroll, Cornelius, Esseks, Krieser, Larson, Strand, Sunderman and Taylor voting 'yes'.

Note: This is final action on Special Permit No. 06032 unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days of the action by the Planning Commission.

REQUESTS FOR DEFERRAL: None

CHANGE OF ZONE NO. 06032
TEXT AMENDMENT TO TITLE 27
TO ALLOW SPECIAL SIGN DISTRICTS
IN REDEVELOPMENT PLAN AREAS.

PUBLIC HEARING BEFORE PLANNING COMMISSION:

May 24, 2006

Members present: Esseks, Cornelius, Carroll, Taylor, Sunderman, Strand, Larson, Krieser and Carlson.

Staff recommendation: Approval.

Ex Parte Communications: None

Staff presentation: **Brian Will of Planning staff** explained that this text amendment represents one additional circumstance where a special sign district can be created, i.e., in areas designed blight and substandard, which are being redeveloped pursuant to an approved Redevelopment Plan. A special sign district is like an overlay district. The sign regulations can be written for a given area and can be either modified to be more restrictive or less restrictive than allowed in the underlying zoning district. Special sign districts are treated just like any other change of zone, i.e. public hearing before the Planning Commission with the ultimate decision by the City Council.

Esseks wondered about the public benefits and costs of relaxing the standards. Will suggested that it is not implied that the standards will necessarily be relaxed. The ordinance recognizes that there are unique areas in the city, such as the Downtown Theater District, Haymarket and Haymarket Park – those are sign districts and the sign regulations were specifically amended and tailored for those particular areas based on their unique theme, appearance, cultural values, etc.

Esseks inquired what the public interest would be if we are talking about larger signs both in width and height. Will suggested that it is a subjective judgment. In some cases, the signs may be large but not always.

Marvin Krout, Director of Planning, came forward and began discussing the specific 48th & O Redevelopment Area sign district. The Clerk then read that application into the record:

CHANGE OF ZONE NO. 06031
TO CREATE A SPECIAL SIGN DISTRICT
ON PROPERTY GENERALLY LOCATED
AT SOUTH 48TH AND O STREETS.

Staff recommendation: Conditional approval.

Ex Parte Communications: None.

The hearing then continued on both applications.

Krout suggested that there are trade-offs. Number one, the developer at 48th and O Streets did bring in a package of sign improvements and believed that he had the ability to build these signs. Therefore, the application for the special sign district recognizes that some indication of support for the whole package was made earlier in the process. Secondly, when you look at the B-3 District, e.g., there are some trade-offs. While these ground signs are going to be taller than the typical ground signs, they are also not going to be using any pole signs, which they would be allowed to do under the B-3 district regulations. The ground signs are architecturally related to the buildings and he believes it will be an attractive sign package. This gives them the ability to advertise all of the uses that are going to be in the center which the B-3 zoning would not normally allow. Krout believes it is well designed and a good sign project.

Krout also suggested that at some point in the future when we look at the sign code, there maybe should be a more liberal look at ground signs.

Will then explained the purpose of Change of Zone No. 06031. This proposed special sign district amends the regulations for the B-3 district in three ways: 1) the B-3 District limits ground signs to 8 ft. in height and 100 sq. ft. in area. This special sign district allows three ground signs at 13.5 ft., 13.0 ft. and 12.0 ft. in height, exceeding the allowed height; 2) it allows one of the signs to be 138 sq. ft. and another 118 sq. ft., exceeding the allowed area for the B-3 district; and 3) it allows a sign on an outlot. There was a sign package as part of the 48th and O Streets Redevelopment Plan which initiated this proposed sign district. Staff is recommending conditional approval, with the condition that the note indicating a 40' tall flag pole with 6x9 flag be deleted because it was not shown on the original sign plan.

Cornelius noted that the text in section 27.69.300(a) suggests that the special sign district is formed "...for the purpose of defining an area of particular historical, ethnic, cultural or entertainment atmosphere; or for defining an area with a special or unique theme." He does not believe that a designated blighted or substandard area fits that theme very well. If the area at 48th and O is being developed under some unifying theme, he thinks it already fits under the existing ordinance. What is the purpose of the change? Will acknowledged that the ordinance currently defines a set of circumstances where a special sign district can be

created, but this proposed amendment adds another circumstance. And staff is suggesting that some of these areas that have been subject to redevelopment plans may be appropriate for special sign districts.

Carroll referred to the specific 48th and O site and inquired what other signs besides the ones shown would be allowed. Will stated that the signs set forth in the proposed special sign district are the only signs being proposed for this site. However, the way the sign district is written, any signs that are allowed within the B-3 District would be allowed. The purpose of this special sign district is to allow ground signs to exceed the allowed height and area.

Carroll inquired whether this proposal reduces the number of signs that are allowed. Will stated, "no". Carroll asked whether they would have signs on the building in addition to the ground signs. Will stated, "yes". They would be allowed to have signs on the building. Staff did not discuss reducing the number of signs that would be allowed. The sign plan is part of the redevelopment agreement and that is why this request was initiated.

Sunderman suggested that this is more liberal with the monument signs, but that is being offset by the fact that they cannot put in pole signs. Will thinks it is offset by the fact that they are not showing any pole signs, but pole signs would be allowed in the B-3 District. Sunderman sought clarification that they could put the pole signs in without coming before the Planning Commission again. Will confirmed that they would have to meet the requirements for the B-3 district.

Carlson would think that the approved sign district would be specific. Will suggested that it can be written with specific limitations. There is the flexibility to make them less restrictive or more restrictive, and a limitation could be placed on the signs that are allowed.

Proponents

1. Wynn Hjermsstad of the Urban Development Department testified in support of both the text amendment and the special sign district. Redevelopment is very difficult. When they do projects in older parts of the city, every single project has new and different issues and challenges. The proposed text amendment provides an additional tool and more flexibility as we try to put these projects together and work with the private sector. She observed that it still involves a public process. Urban Development supports the special sign district because the signs are going to be attractive. We are trying to eliminate blight. We do not want to put in "ugly" signs when the development is in partnership with the city. The proposed signs are well designed and will be an asset to the redevelopment and still improve the blighted area. It is very important to these developers. This is a real key element to their project. Urban Development would much rather see monument signs and have some flexibility with those signs than have pole signs, especially in this very significant part of the city.

Esseks asked for Hjermstad's opinion about restricting the pole signs. Hjermstad stated that she would need to speak with the developers. Her personal preference, however, would be no pole signs because they do not do much to help the appearance of the area. Hjermstad does not believe the pole signs should be prohibited in the text amendment, but it might be acceptable in the special sign district.

Carlson believes that the application is a little confusing because the sign district allows all other signs in the B-3 district but does not increase the number of signs allowed. Are these extra signs or in lieu of permitted signs? Will clarified that they are not extra signs. B-3 allows ground signs or pole signs. The district being proposed is showing ground signs, which are larger than the zoning district allows. Will suggested that the Planning Commission could restrict pole signs, if they so desired.

Rick Peo, City Law Department, came forward to explain that the purpose of this particular sign district was to allow all underlying signs in the B-3 district, and then allow three or four specific signs that did not comply with the district regulations. This sign district is somewhat more limited than Haymarket Park where they showed every sign. In this case, we have three signs that were too tall for a ground sign, and the location of one of the signs had the characteristic of an off-premise sign. The purpose of the sign district is to approve the developer's site plan, plus give them the flexibility to have the allowable signs in the underlying district.

Carroll asked what the redevelopment agreement says concerning signs. Peo stated that he has not seen that agreement in detail. There was a sign plan attached, and the question was whether that sign plan was conceptual or binding on the city. In order to avoid people wanting to withdraw from executing that agreement, it appeared that the proper thing to do would be to come up with the sign district and amend the code to allow special sign districts in blighted and substandard areas that are subject to redevelopment. We also felt this was a good idea for future situations in redevelopment areas.

Carlson referred to the shops on 17th Street, noting that they have additional signage but they are theme signs demonstrating a cohesiveness with the district. Hjermstad did not know whether there was a special sign district at that location.

Carlson then pointed out that one of the bigger signs is shown as a changeable message sign, and that has been a topic of discussion in the city recently. He appreciates the comments about how the city should lead by example with nice looking developments. However, the city did lots of good work on N. 27th but he believes that the changeable message sign at 27th & Vine is really distractive in trying to get a feel for the district. Hjermstad understood Carlson's concern. It gets trickier when we are talking about areas like N. 27th or 48th and O. The Haymarket is easy because the theme is already there. She supports the proposed text amendment because it gives some flexibility rather than saying "one size fits all".

Strand inquired whether people were beating down the door to jump in on the location at 48th and O, or did Urban Development have to search for tenants? Hjermstad stated that they had to work very hard. It is important to the tenants to have good signage to bring in the clients to make sure the business is successful.

There was no testimony in opposition.

Will reiterated that the city does have the prerogative to make the regulations more restrictive or less restrictive for each specific case. It is within the Planning Commission's purview to recommend amendments. The intent was to allow what was being shown in the redevelopment plan.

CHANGE OF ZONE NO. 06032

ACTION BY PLANNING COMMISSION:

May 24, 2006

Larson moved approval, seconded by Strand.

Cornelius was still concerned because he believes this changes the scope of the ordinance, which is clearly meant to pull an area together with a theme. This really blows it wide open.

But, Strand pointed out that there is a built-in safeguard with the special sign district having to come before the Planning Commission and City Council for approval.

Carlson believes this relates to creating extra signs to welcome people to a special area. This not being that specific, and he believes it is strange because it does not speak specifically to a theme. It just creates extra signs, which is different than the typical push for a sign district.

Esseks does not believe the signs have to be larger in number but they may be different in placement and size. The Planning Commission will have the capacity to assert the standards, and he believes that the Commission needs to be sensitive to the challenge of redevelopment. Here is a case where it has worked and if we can set a precedent of success on this one, hopefully it will be repeated elsewhere in the city. He agrees that the developers should be given the opportunity to negotiate these variations as long as the Planning Commission takes their job seriously in the final review.

Motion for approval carried 9-0: Esseks, Cornelius, Carroll, Taylor, Sunderman, Strand, Larson, Krieser and Carlson voting 'yes'. This is a recommendation to the City Council.

CHANGE OF ZONE NO. 06031

ACTION BY PLANNING COMMISSION:

May 24, 2006

Strand moved to approve the staff recommendation of conditional approval, seconded by Esseks.

Carroll moved to amend to allow only four monument signs as per the site plan, directional signs and signs attached to the buildings which are allowable under the district. No pole signs shall be allowed, seconded by Larson.

Carroll pointed out that this allows the extra large monument signs so he does not believe they need a pole sign.

Strand asked staff to come forward and inquired whether the restriction on pole signs is going to meet the developer's desires or are they going to walk because of the change? Hjermstad was pretty sure it would be okay. However, she wants to be sure that the motion does not eliminate directional signs. Carroll stated that his motion does not eliminate directional signs.

Motion to amend to not allow pole signs carried 9-0: Esseks, Cornelius, Carroll, Taylor, Sunderman, Strand, Larson, Krieser and Carlson voting 'yes'.

Carlson moved to amend to not allow electronic changeable text on the signs, seconded by Esseks.

Carlson suggested that when the city gets involved, yes, everyone does a lot of work to find opportunity for redevelopment, but at the same time he believes the city has an obligation to work hard to create a product that is going to benefit the community. We missed the opportunity at 27th and Vine. He does not believe they need the changeable messages.

Will clarified that electronic changeable copy signs are limited to 80 sq. ft., provided they meet the definition.

Strand stated that she will vote against the motion to amend. As a person who ran a business and had a changeable sign, it was very important. It is very difficult to draw people in when your only sign is a monument sign that does not attract their attention. The sales tax revenue in Lincoln is down. We are almost the only city in the state with this situation and there is probably a good reason for that. It is very important to have signs that attract people to businesses that we have to work so hard to get into these redevelopment areas. She thinks there is a value to those signs.

Carroll agreed with Strand. This is an important redevelopment area with a high volume of traffic. This sign district does not increase the electronic changeable script size. He will oppose the motion to amend.

Taylor agreed. He thinks that overall, the changeable copy signs are good. It becomes a statement for the community. He does not want to limit the variety of ideas and advertising opportunities.

Larson stated that he will also vote against the motion to amend because he believes that this development is such a tremendous improvement for the area. Therefore, he does not believe there should be any undue restrictions.

Cornelius indicated that he would vote against the motion to amend because the purpose of this sign district is to alter the form of the signs allowed in B-3. We're going from high tall pole signs to monument signs with some alterations. He does not believe we necessarily have to impinge on the spirit of the decreased signage so greatly. He believes that if we want to change what we allow in B-3, the place to do it would be in the B-3 ordinance.

Carlson clarified that this is a special sign district. There is city participation so the city has an opportunity to impose the standard that the city would like to see. He disagrees that sales tax is down because we don't have enough signs. And, as far as maximizing their opportunity, we have already limited it by not allowing pole signs.

Strand responded, agreeing that city sales tax may not be down because we don't have flashing signs, but we need to be pro-business and signs make it pro-business.

Motion to amend to not allow electronic changeable copy signs failed 1-8: Carlson voting 'yes'; Esseks, Cornelius, Carroll, Taylor, Sunderman, Strand, Larson, and Krieser voting 'no'.

Main motion, as amended to restrict pole signs, carried 8-1: Esseks, Cornelius, Carroll, Taylor, Sunderman, Strand, Larson, and Krieser voting 'yes'; Carlson voting 'no'. This is a recommendation to the City Council.

COUNTY CHANGE OF ZONE NO. 06003
FROM AG AGRICULTURAL DISTRICT TO
AGR AGRICULTURAL RESIDENTIAL DISTRICT
and
COUNTY PRELIMINARY PLAT NO. 06001,
THE PRESERVE AT CROSS CREEK 2ND ADDITION
and
COUNTY WAIVER NO. 06004
TO WAIVE THE LOT WIDTH TO DEPTH RATIO
ON PROPERTY GENERALLY LOCATED
AT S. 58TH STREET AND ROCA ROAD.
PUBLIC HEARING BEFORE PLANNING COMMISSION:

May 24, 2006

Members present: Esseks, Cornelius, Carroll, Taylor, Sunderman, Strand, Larson, Krieser and Carlson.

Staff recommendation: Approval of the change of zone and waiver; and conditional approval of the preliminary plat.

Ex Parte Communications: None

Additional information submitted for the record: Mike DeKalb of Planning staff submitted an e-mail in opposition from Bruce Kuster, a nearby landowner, noting that there was a survey in Roca about the characteristic of the community indicating 85% want to keep the area rural in characteristic and this change of zone would not be consistent.

Staff presentation: Mike DeKalb of Planning staff explained this proposal to develop 17 lots on about 72.5 acres. He then displayed the map, showing that part of the application area that is in the Roca jurisdiction. There is an electrical power transmission line and a parcel within the area that is not included in the plat. The acreages to the south are zoned AG and are grandfathered. There is also AGR zoning behind the AG lots further to the south.

In response to concerns raised by Commissioner Esseks with regard to the emergency services, DeKalb indicated that he had talked with Doug Ahlberg of the 911 Center and will be getting that information. The Lincoln Fire Chief has indicated that there were 18,457 calls for service in Lincoln and 75% were medical, with the balance being bomb threats, fire, hazardous spills, etc. Based on current population, that is 0.177 calls per dwelling unit, or 0.007 calls per person, or one call per six dwelling units per year. Fire response for this subdivision comes out of Hickman, and they do basic life support. Advance life support is only done by Lincoln and the Southwest Rural Fire Department. The distance to the fire station is about 2.25 miles. As a general rule, it would be 15 minutes or more response time.

With regard to action on prior applications in this area, DeKalb advised that staff had recommended denial of the change of zone on the original plat; it was deferred several times; and the Planning Commission ultimately voted 5-2 to recommend approval 5-2; and the County Board approved it on a vote of 4-1. On The Preserve at Cross Creek 1st Addition, the staff recommended approval; the Planning Commission also recommended approval on a vote of 7-2; and the County Board approved it unanimously. DeKalb also pointed out that the Roca plan does show this area as low density residential.

Proponents

1. Mike Eckert of Civil Design Group, 3901 Normal Blvd, explained the changes that have been made to the preliminary plat layout to comply with the block length requirements. The waiver of block length is no longer necessary. They are also showing a road extended into the adjacent land for future connection.

Eckert explained that the lot width to depth ratio waiver is necessary because the developer wants to maintain the drainageway with a full grown tree mass as the dividing line between the lots. The floodplain has been mapped and is accurate.

There was no testimony in opposition.

Strand asked staff to respond to the new layout. DeKalb advised that this new layout has not yet been formally submitted; however, the conditions of approval require these adjustments to accommodate the block length, and what is being shown today will do that. What is shown today complies with the conditions of approval set forth in the staff report.

COUNTY CHANGE OF ZONE NO. 06003

ACTION BY PLANNING COMMISSION:

May 24, 2006

Larson moved approval, seconded by Strand.

Esseks believes that we are going to see more and more acreage dwelling units in this part of the county and if we have one emergency medical call for every six dwelling units on an average per year, we are going to have emergencies where a basic life support service is not adequate. If this is going to be a nodule and increasing area of AGR, he believes we are duty bound to find some way to improve the quality of medical services. The demand will be real. Basic life support is not adequate. 15 minute response is not good, either. This is an ethical problem that we are going to face – how to encourage these areas, or provide these areas, with adequate emergency medical service as we continue to approve the developments.

Motion to approve carried 9-0: Esseks, Cornelius, Carroll, Taylor, Sunderman, Strand, Larson, Krieser and Carlson voting 'yes'. This is a recommendation to the Lancaster County Board.

COUNTY PRELIMINARY PLAT NO. 06001

ACTION BY PLANNING COMMISSION:

May 24, 2006

Strand moved to approve the staff recommendation of conditional approval, seconded by Larson and carried 9-0: Esseks, Cornelius, Carroll, Taylor, Sunderman, Strand, Larson, Krieser and Carlson voting 'yes'. This is a recommendation to the Lancaster County Board.

COUNTY WAIVER NO. 06004

ACTION BY PLANNING COMMISSION:

May 24, 2006

Strand moved approval, seconded by Carroll and carried 9-0: Esseks, Cornelius, Carroll, Taylor, Sunderman, Strand, Larson, Krieser and Carlson voting 'yes'. This is a recommendation to the Lancaster County Board.

ANNEXATION NO. 06008

ON PROPERTY LOCATED AT 8000 S. 80TH STREET.

PUBLIC HEARING BEFORE PLANNING COMMISSION:

May 24, 2006

Members present: Esseks, Cornelius, Carroll, Taylor, Sunderman, Strand, Larson, Krieser and Carlson.

Staff recommendation: Deferral

Ex Parte Communications: None

Staff presentation: Brian Will of Planning staff explained that this annexation request was submitted by James and Jennifer Heck and the property is bounded by S. 84th Street, Hwy 2, Amber Hill Road, and S. 80th Street. The staff is recommending that this application be deferred because there were some questions raised during the review to which the answers are not yet clear. A road improvement district has been formed in this area including the neighborhoods to the south as well as to the east. The Grand Terrace Community Unit Plan was recently approved just to the north of the Heck property. Those surrounding neighborhoods have formed the road improvement district for the purpose of paving some of the gravel roads in this area. The annexation of one lot within that road improvement district raises the question as to whether this property would be responsible for their share of those paving costs if the paving district paved those roads and the property was subsequently annexed by the city. The staff needs additional time to consider the issues and questions. At this point in time, it is the staff's understanding that if the Heck property is annexed and the road improvement district moves forward to pave these roads, there is a good possibility that the Hecks will be responsible for their share of those paving improvements. The city would request that this annexation be subject to an annexation agreement and that would be one of the terms of the agreement.

Esseks noted that the staff report also mentions the possibility that by going ahead and paving to county standards, these folks would escape city standards. Will responded indicating that normally, once within the city limits, any further subdivision would require urban paving standards. One of the reasons the road improvement district was formed was to get the streets paved so that if they were annexed those streets would be allowed to remain and not be required to meet urban standards. Esseks does not believe this appears to be in the interest of the city. He wondered whether the annexation agreement negotiation process would obviate this, or does state law for the special districts take precedent? Will explained that the city does not now have any way to require that the larger area outside the city limits be paved to urban standards. If the Heck property is annexed and they then subdivide, they will be required to meet the urban standards. The relief is to ask for a waiver of those requirements from the City Council, and Will believes that would occur. There are other areas within the city that have substandard roads that have been allowed to remain.

Esseks wondered whether the road improvement district could use that legal status to obviate the requirement to put in concrete curb and gutter, etc. Will indicated that to be part of the question. If the city were to annex the entire road improvement district, that district goes away and the city absorbs both the liabilities and assets of that district. The question is less clear when we annex just a portion. That is a concern both of the city and the property owner asking to be annexed.

Strand inquired whether the road to the south, Amber Hill Road, is going to be a County road. Will stated that it is a county road that was in a subdivision approved many years ago. There is an agreement with Grand Terrace and the road improvement district that a certain amount would be paid to the district for purpose of improving those roads. The Hecks are a part of that road improvement district.

Rick Peo of the City Law Department clarified that if the city would annex the Heck property, then the portion of Amber Hill Road abutting that property and 80th Street automatically become city streets. Because those two roads are now located in a road improvement district, and if we annex the Heck property, we have a duty under state law to reach an equitable division of assets and liabilities of the road improvement district for taking part of the property out of their tax base. In this case, if we annexed today, prior to that road improvement district entering into a contract to pave the road, then we would be annexing the property without any liabilities but we would be splitting that road improvement district. This would create a gap. And then the questions becomes, does the city have to work out an agreement with the road improvement district to pay for part of Amber Hill Road? Does it sit in abeyance? Is it part of an annexation agreement to require Hecks to come to agreement with the road improvement district? Do we pave, curb and gutter that little section? If the road got built first and then we annexed the property,

the City would only look to the Hecks to pay whatever assessment they would previously have paid. If the property is further subdivided, they might ask for a waiver of curb and gutter, or pavement, etc. It is a situation where we do not know the best remedy and how to proceed.

Strand noted that the staff is recommending deferral; however, she recalled that the City Attorney does not like the Commission to defer applications if the request for deferral is not by the applicant. Peo agreed that he does not believe the Commission should hold up the applicant's request. The Commission could recommend denial, or they could recommend approval with certain conditions. If the property is annexed today, it will basically split that road improvement district prior to the road being built, creating unique obligations for everyone.

Larson confirmed that the lots on both sides and across Amber Hill Road are not annexed. Peo concurred. The Heck property is the only property requesting to be annexed.

Proponents

1. Jennifer Heck, 8000 S. 80th Street, presented the request for annexation. The reason they are making this request is to require urban standard roads before any new development in the Grand Terrace area, which she and her husband believe to be in conformance with Comprehensive Plan Amendment No. 04011. Their goal is to supersede the road improvement district. Grand Terrace includes 485 apartment units which were not included in the earlier traffic studies. The traffic has been a major concern for the adjoining neighborhoods even before apartments became a part of the mix. She suggests that the current plan will more than double the traffic into the adjoining neighborhoods. She believes that the road improvement district is an attempt by the neighborhoods to get around annexation. The Hecks believe that an urban standard road system in Amber Hills Estates and the surrounding neighborhoods is the right thing to do. She and her husband do plan to subdivide their property in the future.

Strand wondered whether the neighbors of the Hecks would agree to join into the annexation request. Heck believes that most of the neighbors want the rural setting. 80th Street will get all of the traffic. She and her husband want to subdivide in the future and they do not believe the asphalt will hold up. They only want to deal with road construction once. They were hoping that by annexing their property, the city could supersede the paving district and require urban standard roads. The Heck property represents about 450' linear frontage on 80th Street and 300' linear frontage on Amber Hill Road. They have tried to get the paving district to consider curb and gutter on portions, but they have not entertained that idea.

Esseks wondered whether the Hecks have estimated the difference in assessments. Heck believes that asphalt is about the same as concrete. She does not believe it will be a lot more.

There was no testimony in opposition.

Esseks inquired whether staff is still recommending deferral. Will explained that the staff had initially recommended deferral to give staff the opportunity to discuss the issues further. However, he suggested that the questions are probably now answered about as much as they will be. It is difficult to find that there is compliance with the annexation policy or enough of an advantage to the city to annex. He stated that the staff recommendation today would be to deny. This application will go forward to the City Council. The condition of approval is that there be an annexation agreement. Whatever action the Planning Commission takes, staff will work with the applicant to negotiate an annexation agreement. If we cannot come to terms, the applicant can then request that it go forward to the City Council in spite of not reaching an agreement. If the City Council were to deny, then they would have to come back and start the process again.

Marvin Krout, Director of Planning, added that one of the concerns was that if this property is annexed before the paving district goes in and the streets are paved, that will create a problem where we don't have a paved section of street as we had imagined on the Grand Terrace tract. This property is then faced with the situation of immediately paving these two street sections to an urban standard, costing two or three times as much. If this property owner comes in by himself, he doesn't have the opportunity to spread the costs out over both sides of the streets. It is a tremendous burden to try to pay for those costs as well as water and sewer costs down the road. One of the reasons he cannot recommend approval is that the city does not see the possibility that we are going to get paved sections if we annex this property. This is a great case lesson for why we should be cautious about approving acreages in an area unless it is planned in advance. What is most likely to happen if this property is not annexed, is that the paving district will go in with less than urban standard streets, and when that area eventually comes in, the chances are that the City Council would waive the standard and not require the urban standard streets, but would limit the number of lots that would be appropriate with the rural paved street. It is a difficult problem. If we move ahead now and annex this property, he sees problems for Grand Terrace, etc.

Response by the Applicant

Heck pointed out that the surrounding areas are curb and gutter, including the east side of 84th and Hwy 2, and what will be to the north will be all curb and gutter; she is also sure that the Jensen Park area is going to be all curb and gutter. In fact, she and her husband would be happy if the road improvement district would put in curb and gutter. They only plan to subdivide the bottom half of their property. They would like three entrances onto Amber Hill Road, but that cannot be done without curb and gutter. They do not want to have to reconstruct the roads in the future when they subdivide.

Esseks wondered about curb and gutter with the 8" of asphalt. Heck does not believe the road improvement district has entertained that idea. She does not know whether it would be acceptable for she and her husband to put in the curb and gutter themselves. Esseks thinks it might be a feasible compromise.

Larson inquired whether approval of the annexation by Planning Commission sets up an immediate obligation for the applicant to pave those two streets to city standards. Will stated that it does not. The Planning Commission action is a recommendation to the City Council. The City Council will need to decide and there needs to be an annexation agreement. Will agreed that annexation of the property does, however, require the applicant to pave the streets at their cost.

Heck reiterated that her big concern is the amount of traffic coming down 80th Street and Amber Hill Road. She does not believe that the 8" of asphalt that the road improvement district will construct is going to hold up.

ACTION BY PLANNING COMMISSION:

May 24, 2006

Carroll moved to deny, seconded by Cornelius.

Strand strongly suggested that the applicants urge their neighbors in Amber Hill Estates to drive to Wilderness Ridge where they attempted to do county roads in a city subdivision. Most of the neighbors that did not get curb and gutter ended up with their yards and sprinkler systems all torn up. So the other part of Wilderness Ridge went with curb and gutter. She will vote to deny but urged that those neighbors look at what they are going to have to live with. She does not believe the City Council will approve the annexation without the other neighbors on board.

Motion to deny carried 9-0: Esseks, Cornelius, Carroll, Taylor, Sunderman, Strand, Larson, Krieser and Carlson voting 'yes'. This is a recommendation to the City Council.

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**THE PLANNING COMMISSION REVIEW EDITION
OF THE CITY OF LINCOLN'S DRAFT SIX YEAR
CAPITAL IMPROVEMENTS PROGRAM FOR
FY2006-07 THROUGH 2011-12
and
THE DRAFT FY2007-09 AND 2010-12 TRANSPORTATION
IMPROVEMENT PLAN FOR THE LINCOLN AND
LANCASTER COUNTY AREA (LINCOLN MPO).
PUBLIC HEARING BEFORE PLANNING COMMISSION:**

May 24, 2006

Members present: Esseks, Cornelius, Carroll, Taylor, Sunderman, Strand, Larson, Krieser and Carlson.

Staff recommendation: A finding of full or general conformance with the Comprehensive Plan, except for the East Leg of the "Big X" in Antelope Valley (Comprehensive Plan Amendment No. 06003).

Ex Parte Communications: None

Additional information submitted for the record: Sara Hartzell of Planning staff submitted an e-mail from Sara Friedman in opposition to the wastewater treatment facility near Wilderness Park (Exhibit A attached hereto and made a part hereof by this reference), and a letter from Seacrest & Kalkowski on behalf of Eiger Corporation asking that Pine Lake Road from 84th to 98th Street be changed (Exhibit B attached hereto and made a part hereof by this reference).

Staff presentation: Sara Hartzell of Planning staff provided an overview of the CIP/TIP process. There are three separate but related items:

1. The Planning Commission Review Edition of the City's 6-year Capital Improvement Program (CIP); and
2. The Lincoln City/Lancaster County 6-year Transportation Improvement Plan (TIP).
3. Comprehensive Plan Amendment 06003 to show a change in the East Leg of the Big X portion of the Antelope Valley roadway, which will be discussed during the Streets and Highways portion of the CIP.

As specified in the City Charter, the role of the Planning Commission in the CIP and TIP process is to determine if the capital projects being requested by the various City and County departments are in conformance with the adopted Comprehensive Plan. According to the Charter, City Council ordinances and resolutions dealing with capital improvements cannot be acted upon until a finding of Plan conformity has been made by the Planning Commission

and/or the Planning Department. She noted that the Charter does NOT prohibit the City Council from approving capital projects which are not in conformance with the Plan; but only that a finding of conformity needs to be established.

In column 9 of Form B for each department's project, Planning staff has provided the Commission with a recommended finding of conformity. As in past years, the staff has employed a four-tiered approach to the conformity finding. A project can be determined to be within one of the following categories:

- ICWP - In Conformance With Plan
- GCP - Generally Conforms with Plan
- NIP - Not In Plan
- NICP - Not In Conformance with Plan

There is one Project shown as Not In Conformance with the Plan. You will be hearing a Comprehensive Plan Amendment request for this project during the Streets and Highways CIP testimony. A second project is shown as Not In the Plan. This means the project is not directly or indirectly discussed in the Plan, but it does not conflict with any of the goals or policies in the plan. This project will be discussed during the Urban Development CIP testimony. With the exception of these two projects, all of the projects in this year's draft CIP are being recommended by staff as being either "In Conformance With the Plan" or "Generally Conforms with the Plan."

The recommendations will be forwarded to the Mayor for incorporation into the City Council Edition of the CIP, which will be issued in conjunction with the City's Operating Budget -- tentatively targeted for release sometime in late June. The Council will have a hearing on both the Operating and Capital Budgets in August, with approval of both budgets typically occurring in late August -- the City's 2006-2007 Fiscal Year begins on September 1st of this year.

Hartzell reminded the Commission that the City Council only approves the first year of the CIP; no formal action is taken on the remaining five years, although it is part of their discussion of the capital improvement needs.

Hartzell also noted that the Planning Commission Review Edition of the CIP, and all subsequent editions, are available on the Internet, at the City of Lincoln's Web site --

<<http://www.lincoln.ne.gov>> (KEYWORD = CIP)

FINANCE DEPARTMENT

A. Pershing Auditorium: Tom Lorenz, General Manager of Pershing Center, made the presentation, stating that Pershing Center continues to be an active and vital building, actively used throughout the year. It is a 49 year old structure which continues to have an aging infrastructure. The CIP request is to continue to keep it up to the standards that protect the safety of the patrons and which allow continued operation.

Strand inquired about the installation of a passenger elevator. Lorenz advised that there is a freight elevator but there is not a passenger elevator to get persons with disabilities from the upper to lower level properly.

There was no other public testimony.

B. Communications: Julie Righter, Communications Coordinator, made the presentation. Their CIP includes eight projects which are technology changes and the infrastructure needs that the center will need to address in the very near future, including remodel of radio shop, digital communication upgrade, remodel of the emergency 911 center, emergency communication radio shop facility, 800 Mhz trunk radio system upgrade, public safety responder locating project, communications command post and emergency notification system.

Esseks inquired as to the function of the city radio shop. Righter explained that the radio shop maintains all of the radios, repairing anything from portable radio to multi-terminal and maintenance of three tower sites that include microwave systems and other wireless technologies.

There was no other public testimony.

FIRE AND RESCUE DEPARTMENT: Mike Spadt, Fire Chief, made the CIP presentation, including four projects, three of which are fire stations and one being an upgrade of the training and maintenance facility at 3rd & South. The fire station requests are for 7000 N. 27th, 56th & Cavvy Road, and 27th & Rokeby Road. The reasons for these improvement requests are based upon response times. The goal is to reach any citizen in an emergency in four minutes or less, and at the present time, this goal is not being met in the areas for which the fire stations are being requested.

Strand noted that there were requests for two fire stations last year. The new one is at 27th and Rokeby Road. How far south of 27th and Rokeby Road would the Fire Department be offering advance life support? Spadt stated that the Fire Department offers advance life support today to Lancaster County and the 911 service area, except for the Southwest Rural Fire District. Occasionally, the City Fire Department will go to their area if they do not have staff available. Typically and generally, the City Fire Department responds to most locations in the county. Strand inquired whether this additional station will help with the rural acreages south and east and south and west of Lincoln in getting better response times. Chief Spadt's response was, "possibly". All of the City's medic units are currently housed at the current locations, which is not ideal. He suggested that when they build, they need to maximize and increase the flexibility to accept any type of apparatus based upon the change and need in the community to get closer to the rural areas.

Esseks asked whether the Lincoln Fire Department is the first responder when there is a medical emergency in the rural areas. Spadt stated that there is a combination of arrangements based upon the capabilities or the rural provider. Sometimes in the daytime, the City is the only responder because the rescue personnel have employment elsewhere. Ideally, he would like the rural providers to have the first response, or the quick response, and they are at the EMT level. It would be his preference for them to be on location prior to calling the City. There is a process through the 911 center where they can determine the appropriate resource to respond to the call. If advance life support is not necessary, the City won't go.

There was no other public testimony.

PARKS & RECREATION DEPARTMENT: J.J. Yost, Planning and Construction Manager, made the presentation of the CIP, stating that this year's CIP is a juggling act between meeting new growth needs for recreation and park facilities, and repairing and replacing existing infrastructure. The Mayor appointed an infrastructure finance committee to look at how we balance those things. The CIP includes about 77 projects over the next six years, divided into six primary categories: Antelope Valley park and trail; repair and replacement of existing facilities; facilities and system improvements; tree and landscape programs; new parks and recreation facilities to meet growth; and new trails facilities to meet growth. They are proposing about 40 projects in the first year. The funding sources generally consist of general revenue, keno funds, grants and donations; athletic fees and/or user fees. In addition, the CIP includes a series of phased general obligation bonds that would be issued to fund new community facilities such as recreation centers, community parks and swimming pools. The annualized costs of repair and replacement to meet those is estimated to be 1.3 million dollars. There is a need for about 6.5 million over the next 5-6 years to keep pace with the Corps of Engineers in channel construction of Antelope Valley. There is need for another 1.5 million for new growth on an annualized basis.

Public Comments:

1. **Rick Krueger** noted that general revenues are being allocated for the Antelope Valley channel project, and he suggested that the city needs to seek another funding source. We either need to dial back on the cost or find another funding source, such as a bond election.

Response by staff:

Lynn Johnson, Director of Parks & Recreation explained that over the next five to six years, the Parks Department has anticipated 6.5 million dollars in terms of improvements in conjunction with the construction of the Antelope Valley project. An infrastructure finance committee looked at this last fall and they recommended that all of the keno money be directed toward that project (\$800,000 a year). The proposal is to direct about four million dollars to the Antelope Valley project over the next four years with 2.5 million made up of general revenue.

Carlson inquired whether that tailors in some combination of the way the channel grading is being done. Johnson stated that as the Corps constructs the channel, the Parks Department wants to lay the slopes back and add park activity and amenity areas. He anticipates that this will be a phased approach over a number of years.

Esseks confirmed that there will be a park corridor on both sides of the channel. Johnson answered in the affirmative. There will be a minimum one block wide park corridor to create a linear park system all the way from J Street to Vine Street as an active community park area.

PUBLIC WORKS:

Public Works: StarTran: **Karl Fredrickson, Director of Public Works & Utilities**, presented the StarTran CIP, the capital projects of which generally hinge on federal requirements as far as maintaining equipment and rolling stock, security, computer hardware, software, automated vehicle location system study, bus graphics, and purchasing new fare boxes to work with smart cards (credit cards), which will also be functional in the parking garages. Many of StarTran's projects have been changed over to fund balances so that they are not using new general fund. The roof repair at G Street is for a storage building shared with Fire and Parks & Recreation.

Strand noted the purchase of supervisor vehicles, two of which are listed as a SUV or a minivan. She wondered about something more economical. How often do you need to transport seven to nine people in a day? Fredrickson indicated that these are used if a bus is full or breaks down. These vehicles are also used to travel roads to check on route

conditions. He agreed that it is something they could definitely review and reconsider. General replacement of vehicles with federal funds is a five-year cycle, and as of right now, those two line items have been deferred a year because of the operational budget.

There was no other public testimony.

Public Works: Business Office (Parking): Karl Fredrickson, Director of Public Works & Utilities, stated that the majority of the CIP is dedicated to repair and inspection of existing facilities. There are some parking lot improvements with surfacing, such as Havelock and 27th & Randolph. There is also money for the Downtown Parking Study. At the same time, they have been working and will continue to work through the summer on the creation of a “parking authority”, which could result in significant operational changes because the responsibility may go away from Public Works. That could occur this summer.

Esseks inquired whether the parking study will look at the problem at Haymarket on Saturday mornings with the Farmers Market. Fredrickson stated that that type of problem is being looked at right now, but the study could also look at it.

There was no other public testimony.

COMPREHENSIVE PLAN AMENDMENT NO. 06003
TO CHANGE THE ROADWAY DESIGNATION
OF THE EAST/WEST PORTION OF THE PHASE I
ANTELOPE VALLEY ROADWAY PROJECT FROM FOUR LANES TO 6 LANES FROM
THE 9TH/10TH STREET CONNECTION EAST TO
CORNHUSKER HIGHWAY.
PUBLIC HEARING BEFORE PLANNING COMMISSION:

May 24, 2006

Members present: Esseks, Cornelius, Carroll, Taylor, Sunderman, Strand, Larson, Krieser and Carlson.

Staff recommendation: Approval.

Ex Parte Communications: None.

Staff presentation: **Sara Hartzell of Planning staff** explained that this proposed amendment to the map in the Comprehensive Plan is part of the Antelope Valley Roadway system, known as the east/west leg of the Big X. The current Comprehensive Plan shows this as a four-lane roadway on the map, but in the text of the plan it is referred to as “four to six lane” roadway.

During the environmental impact statement, this east/west leg was looked at as a six lane roadway and has been approved as such. Comprehensive Plan Amendment No. 94-60, approved in 2000, brought Antelope Valley into the Comprehensive Plan and also identified this as a six-lane roadway. It was kept as a four-lane in the Comprehensive Plan as we moved through the design process. But, in the final design, it is a six-lane and Public Works would like to proceed with it as a six-lane roadway. This change does not conflict with the text; however, the map shows it as four lanes and Public Works would like to amend the map in the Comprehensive Plan to show it as six lanes.

There was no testimony in support nor in opposition.

PUBLIC WORKS: Streets and Highway: Karl Fredrickson, Director of Public Works & Utilities, stated that through the work of different committees, we are continuing to say that we are short of money. Fredrickson then reviewed the proposed projects. Projects 1 through 11 represent repairs to the existing system, operational improvements and safety projects. The series of projects for Antelope Valley are a priority, and Public Works continues to construct those projects. They should be pouring the bridge deck on the Big T next week, and there are tours coming up on that. The city continues to lobby our Congressional delegation to receive more funds through the Federal Highway Trust, and there has been success in doing so. Fredrickson highlighted the following projects: East O Street; 48th & O; Harris Overpass replacement, which is scheduled for next year; South Beltway – there may be a small change in the dollar amounts as the state provides the schedule; East Beltway - intend to start corridor preliminary design and start protecting the corridor, and continue to ask for federal demonstration funds; SW 40th Street railroad viaduct; bridge repair at Adams and N.W. 12th; and Project 34 identifies impact fee type projects. There have been a couple of annexations recently where impact fees have been directed back to the construction. Developers are fronting the money to build the roadways and as they draw their building permits, they will be reimbursed. New roads in new development areas are “kind of hobbling along”. Public Works is looking for additional funds to finish those.

Fredrickson advised that the comment for Project 16 on page 85 will be revised to state, “The Antelope Valley Urban Development project....”. (Instead of Parks Department).

Strand referred to the letter from DaNay Kalkowski regarding S. 84th and Hwy 2, and inquired when the road work would be done on Pine Lake Road between S. 84th and 98th Street, and 98th Street between Pine Lake Road and Hwy 2. Fredrickson noted that to be a development prior to the impact fee ordinance. In the agreement, the developer had a cost share where he contributed toward that road and several others. Based on priorities, the dollars have not gone to the project to build it; however, the design work is completed. It would have been

done if the bond had passed two years ago. We do not have the dollars to build it. Fredrickson has talked with the developer about contributing from other projects. There is also right-of-way which the developer does not own that would need to be acquired.

Strand noted that 27th Street from Pine Lake Road to Yankee Hill Road is not four-lane. She thinks that will need to be done in light of the Target at 40th and Yankee Hill Road. Fredrickson stated that the plan is to attempt to do that next year.

Strand inquired what an additional 2.5 million would do. Fredrickson suggested that would build South Street from 8th to 18th or 20 blocks of residential resurfacing or approximately one mile of two-lane arterial.

Carlson referred to Project 10 on page 94, sidewalk maintenance and repair. He recalled that about four years ago the City did some work to figure out where we were on repair of sidewalks. At that time we had about a 40-year list of projects. We had been accelerating that to get up to a 10-year wait list. Now it appears that we are back down to the 40-year amount. Based on the amount budgeted in the CIP, how are we going to accomplish the Comprehensive Plan goal to have a safe, extensive and thorough sidewalk system, particularly in older neighborhoods? Fredrickson's response was that "there is not enough money to do it." Carlson inquired whether there are any other resources. Fredrickson suggested that one way or the other, the dollars come from the residents. He would like to see the sidewalks fixed but it is a balancing act. If there were additional dollars, this would definitely be accomplished. However, he would rather not see street construction funds used for those sidewalk repairs. He believes that general funds are fair, but general funds are tight. Carlson wants this to be made a priority.

Public Comments:

1. Rick Krueger pointed out that years ago, the WC wheel tax was raised for new construction, amounting to four million dollars, which is not 1/10th of the street funds being used this year. They are being used in this CIP for the bridge in Antelope Valley and at 48th and "O" Streets. When the WC wheel tax was raised in 1996, that money was to be used for new construction in new areas. That four million needs to be used in new areas. We need some funds put somewhere in a growth area. He does not see them allocated to any particular location on the fringe.

2. Peter Katt expressed concern about allocations in the CIP. The Comprehensive Plan conformance findings do not envision a town that goes from 48th and "O" to Downtown and the Antelope Valley. It's an entire community. We need to plan for the entire community. The staff report indicates that this is a decision as to conformance with the Comprehensive Plan so the focus is very limited. One of the components that should help guide the decision is the reality that our dreams, our wishes, our wants for capital improvements and what we want government to do are well beyond the means of what the citizens are willing to pay. What we

want costs more than we can afford. There is no strategy or policy for making those really hard choices if we don't have enough money. We don't have enough money to do it all, so how are we going to decide what gets done? In his view, one of the things the Planning Commission should not do is simply allow all of the city's "pet projects", i.e. Antelope Valley, 48th & "O" Streets, Harris Overpass, SW 40th bridge replacement, Downtown. We need roads built in other parts of the town. He has a client who has had a project on N.W. 56th and Adams for over 8 years. He has built hundreds of homes. Those people still need to drive on gravel roads. The city agreed in 1999 to pave these roads. Not done. That's wrong. Nothing in the CIP says it will be done this year or in the next six years. As a part of the deliberations, the Planning Commission needs to discuss the policy choices and how we treat all of the community fairly – not simply city pet projects in the existing community, but the entire community.

3. Bruce Bohrer, Chamber of Commerce, suggested that it really is a matter of balance. A lot of the studies point to the fact that we know what we need but we don't have the funding. We need to find some mechanism to find a way to balance our priorities. The Chamber of Commerce Board of Directors passed a resolution last Thursday to direct the wheel tax dollars to new growth areas. They also suggested the formation of an Advisory Council for Public Works. Our gap for Streets and Highways is about 180 million over the next six years. The Comprehensive Plan talks about the efforts in economic development to keep jobs here and to have infrastructure so that we have facilities and parcels ready for new growth. If that's the standard for conformance, this is certainly not adequate on streets and highways. It is out of balance.

Bohrer also advised that he just returned from Washington, DC, and believes that Lincoln does get very favorable response from our Congressmen and Senators who worked very hard to get the South Beltway into the Highway Bill as well as Antelope Valley. A bill has been passed for the channel work of Antelope Valley. LB904 gives us about 1.3 million dollars more annually in Lincoln and Lancaster County. But, we need to find resources locally as well.

(Editorial Note: The resolution adopted by the Board of Directors of the Chamber of Commerce was submitted by Mr. Bohrer on May 25, 2006, and is attached hereto as Exhibit C, and made a part hereof by this reference.)

Staff response:

Fredrickson stated that he does not disagree with the comments. Many of the roads discussed were on the bond issue that would have been paved by the end of 2007 if the bond issue had passed. Thus, the community chose otherwise. It now comes to different and harder choices to make.

Esseks inquired whether there is any budgetary flexibility. Let's say the opportunity for a really good development that would either attract new jobs or retain existing jobs comes along. Is

there any flexibility to tap the impact fee budget, or how constrained are we in helping the city be an entrepreneur? Fredrickson commented that many of the departments work with Darl Naumann, Economic Development Coordinator in the Mayor's office, to come up with different ways of doing just that. Water and street impact fees have seven different benefit districts and the dollars collected have to be spent in those districts. We do have the discretion as outlined in the CIP. The downside is that sometimes Public Works is ready to go and sometimes the developer is not ready to go when the dollars are there.

With regard to the WC wheel tax, Fredrickson agreed that it was raised in 1998 for new construction. At the time, it was when the south and south fringes came about and they identified streets in those studies such as Old Cheney Road, S. 14th Street, Pine Lake Road, 84th Street, 70th Street, etc., and a schedule was lined up. For the most part, we are pretty close. The actual ordinance that created the WC wheel tax was for new construction and it could be used anywhere, thus Antelope Valley was perfectly eligible. Antelope Valley is a city priority, and that is where the WC wheel tax has been used.

Larson observed that Antelope Valley, the South Beltway and Harris overpass all have large elements of federal funding, and commented that we don't have a choice if we want to take advantage of those federal funds. Fredrickson stated that federal funds all require a local match. We have asked to be able to spend federal highway dollars to match the Corps of Engineers dollars. Federal demonstration funds cannot be used anywhere else. Railroad Transportation Safety District funds have to be used on railroad crossings. Bridge replacement funds have to be used on bridge replacement.

There was no other public testimony.

FY2007-09 AND 2010-12 TRANSPORTATION IMPROVEMENT PROGRAM:

Karl Fredrickson, Director of Public Works and Utilities, presented the proposed TIP. He explained that it essentially mirrors at least the City's CIP and is done as a federal requirement through the Department of Transportation regulations to inform the public where their federal dollars go. It includes the Airport Authority, County, State and every other governmental agency which uses Federal transportation funds.

(Commissioner Larson left at this point in the meeting.)

Mike Brienzo of Public Works & Utilities also explained that this public hearing is the element of public participation for the TIP. From this point, the TIP will separate off from the City CIP and go to the MPO policy board. It will be attached to the state TIP for state review and go on to the FHA. This is part of the overall process and comments received here will be attached to the document.

There was no other public testimony.

PUBLIC WORKS: Watershed Management: Karl Fredrickson, Director of Public Works and Utilities, explained that the funding is out of general revenue and general obligation bonds. Projects 1 through 3 represent some miscellaneous accounts to help with studies around town, some of which are economic development or things we can do to help out an area. Project #4 is a general obligation bond working on watershed master plans in partnership with the NRD. Project #5 is implementation of master plan projects. Project #6 is a best management practice project, including cost sharing with the NRD for stormwater runoff and water quality. Project #7 are specific storm sewer projects throughout the existing city for improvements. Project #8 is purchase of easements that can be set aside to allow stormwater flooding. Project #9 is rehabilitation within channels or storm sewers throughout parks in the city. They plan to look at another general obligation bond for this coming May.

There was no other public testimony.

PUBLIC WORKS: Street Maintenance Operations: Karl Fredrickson, Director of Public Works and Utilities, explained the projects including facility upgrade at 3180 South Street; facility replacement at 901 N. 6th and 32nd & Baldwin Avenue; upgrade of Gas Card control system; and replacement of gas dispensers at city fueling sites.

There was no other public testimony.

PUBLIC UTILITIES: Water Supply & Distribution: Karl Fredrickson, Director of Public Works and Utilities, advised that they had previously indicated a need for several years of rate increases to fill out the Tier I area in the 12-year time frame. This year they are proposing a 7% rate increase. Projects include master planning and security upgrades; repairs and upgrades and rehab at the treatment plant in Ashland; water tower at 98th and Breagen Road to put additional pressure into the system in southeast Lincoln; pump station upgrades to continue to move water around the city; major transmission into Lincoln from Lincoln to Greenwood to continue to get the supply to feed the growing community; replacement of existing mains; impact fee distribution mains to continue to fill out Tier I, Priority A; and water mains being moved or relocated, adjusted, vertically or horizontally, in relation to street projects.

There was no other public testimony.

PUBLIC UTILITIES: Wastewater: Karl Fredrickson, Director of Public Works and Utilities, indicated that the anticipated rate increase is 9% to continue to coordinate the development for Tier I, Priority A. The CIP proposal includes general system improvements; update of the Long Range Facility Plan; and miscellaneous design and engineering needed for whatever comes up throughout the year; replacement of collection facilities; relocation and repair of mains associated with Antelope Valley; commitment to Waterford Estates and Southwood Lutheran Church to reimburse the developers; plant improvements in order to stay current with our discharge permits and regulations associated with that and capacity to handle the growing city; and a study to locate a southwest wastewater facility. Fredrickson clarified that the southwest wastewater facility is just a study at this point to locate the site (or sites). The initial thought is for this facility to be for storage to take off peaks and then allow those to flow through Theresa Street at a lesser flow time; with a long range plan for 25-30 years there may be a need for plant construction to serve the growing southwest area of Lincoln. There have been several public meetings and there are some very concerned people. Treatment requirements are changing over time and in 25 years they will be significantly different than today. At this point in time, the purpose of this project in the CIP is just a study for locating the site.

Esseks inquired as to how far along they are in the site selection process. Fredrickson stated that four or five potential locations have been identified. There will be further evaluation of those sites as well as comparing it to the system master plan. He expects to have something a little more definitive or ready to go to another public meeting in late summer.

Public Comments:

1. **Mary Roseberry-Brown** expressed confusion because the agenda on the internet says that money would be allocated for “purchase” of the site, not just the study of the site. The total was 78.2 million dollars, and there were a variety of projects listed. She could not find an itemization on how much would be spent on the purchase. So far she has attended the two open houses and there was a presentation to the Friends of Wilderness Park group. At those meetings, there was no demonstration or documentation that a new sewage plant would be the best approach to provide for the future wastewater needs. Before any portion of that money is allocated for purchase, there needs to be a much more systematic analysis done on different strategies for Lincoln’s wastewater. There needs to be an itemized estimate of the expansion, operation and maintenance costs of expanding the northeast facility and/or the Theresa Street facility. There needs to be examination of different pipe routing options with an itemization of costs for different routes; we should accelerate the current program for repairing leaks in current sewer pipes; an ordinance needs to be established and new building code standard adopted requiring that when sump pumps are installed, piping to drain the pump outside the building must be installed. A detailed analysis of each siting option should include: the effects of discharge on the banks and beds of Salt Creek for each option;

the effects of discharge on temperature and aquatic life for each option; the effect of pharmaceuticals, hormones, chemicals and antibiotics in the discharge for each option; and the effects of odors for each option. (The written testimony submitted by Ms. Roseberry-Brown is attached hereto as Exhibit D and made a part hereof by this reference).

Esseks inquired whether Ms. Roseberry-Brown has found any models for analysis in her research. Roseberry-Brown did not know of any but she has been reading about studies that show deleterious effects. Esseks suggested that she share her findings with Public Works. He agrees that we need to find those best management practices.

2. Dan King, a NPDES permit writer and compliance specialist, questions the need for this facility in this location. He would like the community to be able to know all that is being considered; that alternatives have been considered; and that studies have been done. He wants to see a true identification and need for this facility. The Wastewater Facility Master Plan indicates that a facility is not needed for the Tier I development. This southwest facility relates to Tier II and Tier III, but he agrees that we need to do further analysis and check some of the additional studies and potential models that may be out there. As far as scarce resources, as the city continues to look at improving the infrastructure, the likelihood of putting the best plant possible in Lincoln or to upgrade to the greater potential is not likely. There is always a cutting of the budget and a trimming that could have a long term negative effect. There is a need to consider the public health concerns. Both the Theresa Street plant and Northeast Plant do a wonderful job, but there are problems that go unattended. There is a public health concern and the neighborhoods around this potential site should be considered in detail. We use the stream flow to determine the permit limits for specific facilities. The flows further downstream in Salt Creek are higher at the Northeast site than down around the southwest proposed site. He did some research of facilities around the country that do have single wastewater treatment or regional facilities and they are able to do that successfully, e.g. Portland, Oregon, and Eugene, Oregon. We need to continue to look at these issues. He has not seen the hard facts presented and we need to know about the possible effects of this site.

3. Steve Larrick, 920 S. 8th, has lived in the South Salt Creek neighborhood for 30 years and has seen a lot of kids fishing on Salt Creek; has seen the wildlife that goes to the Wilderness Park area; the birds that come in; and the NRD wetlands between South Street and Van Dorn Street. Is this really necessary? It sounds like a lot of cities are moving to more consolidated sites. We have the land in northeast Lincoln for expansion and Theresa Street could also be expanded. He has not seen any evidence that an additional site is needed.

4. Janine Copple, resident of South Salt Creek neighborhood, stated that she often walks or bikes along the levee trail to the Wilderness Park area and she sees people fishing and wading. Would you let your kids wade or fish in the discharge of a wastewater plant? She also attended the public open houses. Even though they say that these will be much more new and improved versions of wastewater treatment facilities, she does not believe they can get it all out. We need to consider where the water is going. It should be way downstream from

everyone else. She would like to see the Northeast plant expanded. She suggested that the trailer park directly adjacent to the Theresa Street plant could probably be purchased to expand the plant. We do not need to build a new facility upstream from her neighborhood, the Haymarket and Downtown. The existing plants should be expanded and improved. We need to think of better strategies and better problem solving techniques.

5. Peter Dauben(sp), who lives in southwest Lancaster County, discussed the chemistry of the sewage treatment process. He believes that the concerns expressed are very valid scientific concerns. These plants do a good job of reducing solid waste. A sewage treatment plant works on a variety of settling tanks and reverse osmosis. He then listed the chemicals found in solid waste. If you are looking 30 years down the road, one hopes the technology will get better. We need 24 hour, seven day a week monitoring, which will cost money. A centralized facility would deal with this problem. He does not know that anyone has the plan to deal with the contaminants and diverted contaminated waste that cannot be gotten out by any simple means.

6. Lynn Moorer, 404 S. 27th Street, an attorney who specializes in environmental law, urged that the Planning Commission not approve Project 15 as part of this program. At this time, it is ill-considered and premature. The information in the staff report says that this item is for site acquisition for the southwest wastewater facility. So, she is somewhat surprised to have it now characterized as merely a study. All of the information relative to this agenda item indicates that this is for site acquisition. The city has not demonstrated that building a new sewage treatment facility is the best management strategy to handle Lincoln's future wastewater needs. The city has not provided any studies or documentation to support the varying cost estimates. It is premature to acquire land for a new treatment facility in southwest Lincoln. The chief reason is that the plans for the new facility, regardless of a proposed location, have not yet received adequate study and analysis. The staff analysis refers to the 2003 Wastewater Facilities Plan, and Moorer does not believe that it identifies the need for a third facility. There is nothing in the Facilities Plan that recommends a third site. There is no study that has yet been produced that indicates that this is consistent with an approval process. The Facilities Plan, at a minimum, is silent on the subject of this new third treatment facility and therefore it is not fair to say it is consistent.

Moorer went on to state that there is plenty of time to do a more comprehensive and broad based analysis of the various and different options that are available. Expanding the existing facilities in lieu of a new treatment plant should be considered.

Moorer recommended that there be a motion to remove Project #15 from the CIP for Wastewater; that it is not ready to move forward at this time. She suggested redirecting that money to streets and highways with a much higher demonstrated need. There has not been enough consideration of other options. She suggested that a cost benefit analysis be considered, including an environmental analysis and variety of management strategies.

(The written testimony and exhibits submitted by Ms. Moorer are attached hereto as Exhibit E and incorporated herein by this reference.)

The Clerk also submitted a letter from Dan Lutz with concerns about siting a new treatment facility, which is attached hereto as Exhibit G and made a part hereof by this reference.

(Commissioner Taylor left at this point in the meeting.)

Staff Response:

Fredrickson advised that wastewater dollars cannot be moved to streets and highways. If there is a text correction with regard to the Facilities Plan, he will definitely take care of it. The line item is to purchase an option to buy. The study is ongoing and is not done. We continue to receive input and do analysis. This CIP begins on September 1, 2006, and simply appropriates the dollars. It does not say it is going to be spent. It simply appropriates the dollars for the option. With regard to the testimony about chemicals in the water, Fredrickson suggested that we do not know what the technology is going to be in 25 years. We might be doing distilling. The actual use is in Tier II and III growth. At that point, land may not be available in a cost-effective area. In that growth area, this particular facility is to take pressure off of Theresa Street so that Lincoln can continue to grow north and west. There are options of expansion of existing plants, but it would take longer and bigger pipe to get to them and those are things we need to look at and take into account.

Steve Henrichsen of Planning staff presented Figure 8-2 of the Comprehensive Plan, which is the 2003 Lincoln Wastewater System Facilities Plan Update (See Exhibit F attached hereto and incorporated herein by this reference). The finding of conformity is that the Wastewater System Facilities Plan is an adopted component of the Comprehensive Plan and used as the guide for short and long term improvements. The public talks about the Northeast Treatment plant and the Theresa Street plant having room to expand capacity to treat the waste. This is true, but the need is the "conveyance"-- the pipes to get it to the Theresa Street plant. That is why the Facilities Plan is in the section about conveyance and why the staff is recommending a third treatment plant.

Henrichsen confirmed that this facility is not needed in Tier I. The Facilities Plan goes further to say that for Tier II, there will be a need for a third plant because we will not have the capacity to convey the waste to the Theresa Street plant. This matter has been reviewed as part of the Facilities Plan. The need was noted because of the conveyance issue. We need to get the site now rather than being so shortsighted as to not to obtain the land now.

Strand pointed out that there will be a full public hearing held before anything goes forward. Henrichsen confirmed that the designation in the CIP sets aside the initial funds to obtain an option for a site. The specific site will come before the Planning Commission as a separate public hearing.

Esseks assumed that there could also be a decision not to proceed with this facility. Henrichsen suggested that one of the first things that could be done is build a storage facility for holding during the peak times, and it could possibly preclude the need for a treatment plant for many years.

Esseks suggested that it would be better for the community to leave open the option of no purchase or a site for storage purposes, and then the third option would be treatment. At this point, Esseks would be more comfortable if we had all options on the table and not state that there is definitely going to be a southwest facility. Henrichsen reiterated that to be the issue that was reviewed and considered in 2003. Tier II was determined to need that facility for long term growth. We need to find that site now. If you start to provide services to this area, those sites are going to be built upon. One of the potential sites is zoned I-1 and is already partly built upon. If you postpone acquiring a site, you won't have a site. Acquiring a site does not lock you into building the plant. There will be flexibility.

But, Esseks believes that a plan update logically implies the ability to say no. Maybe what we decided three years ago was not right.

Strand pointed out that LPS obtains sites way in advance and then later may not need it and will sell it. Henrichsen concurred. For example, the northeast corner of 27th and Old Cheney Road was purchased for a library and ultimately the library was built somewhere else.

(Editorial Note: Exhibits H and I attached hereto and incorporated herein by this reference are comments on the Southwest Wastewater Facility which were received in the Planning Department office after this public hearing, dated May 31, 2006.)

PUBLIC UTILITIES: Sanitary Landfill: Karl Fredrickson, Director of Public Works and Utilities, stated that the CIP anticipates a landfill fee increase this year. Bonds will be issued to do some expansion of the existing site. They are doing final cover gas control systems on the existing landfill and an air quality assessment. Otherwise, the CIP is for normal operation and monitoring assessment. They are now advertising for bids for a large expansion of the existing site.

Fredrickson also advised that Public Works is working with LES to explore converting methane to electricity. Fredrickson considers Public Works one of the biggest environmental organizations in this city as far as pollution control.

The CIP also includes expansion of recycling drop off centers.

There was no other public testimony.

*** break ***

(Commissioner Strand left at this point in the meeting.)

URBAN DEVELOPMENT: Marc Wullschleger, Director of the Urban Development Department, stated that the CIP consists of 19 projects, 17 of which are up for funding this year. The Department's mission is to redevelop the older parts of the city through various funding sources.

Carlson noted that the Commission did have a briefing on the Urban Development projects at last week's noon meeting.

There was no other public testimony.

LINCOLN ELECTRIC SYSTEM: Dan Pudenz, Vice-President of Engineering, explained that this year's CIP deals with the growth of the City for the next six years. The anticipated net customer growth is just under 13,000 customers, which is basically the same as adding the City of Fremont to our system every six years. The CIP also includes three million dollars for overhead/underground line conversion in the next six years. LES has also watched the annexations very closely and as the city expands and the Comprehensive Plan is adjusted, they make any adjustments that are needed to the LES service area in conjunction with Norris PPD.

Carlson expressed appreciation to LES. There has been considerable discussion about undergrounding in the past and he appreciates that it has worked into the budget. There was no other public testimony.

LINCOLN CITY LIBRARIES: Mary Johns, Assistant Director of Libraries, stated that the primary project is Arnold Area Branch Library, where the construction of a new school provides an opportunity to do a joint project where the library can be a significant enhancement to the community and provide library service to an underserved area. The second year CIP includes parking resurfacing at the Gere Branch and the roof replacements have been moved out a year.

There was no other public testimony.

LINCOLN AREA AGENCY ON AGING: June Pederson, Director of the Lincoln Area Agency on Aging, pointed out that the 2006-07 CIP budget is zero. But she will be back in 2007-08 and 2008-09 to discuss the funding for the Northeast Community Center.

There was no other public testimony.

LINCOLN POLICE DEPARTMENT: Michele Selvage and Terry Sherrill presented the CIP, which includes three projects: K9 Training Facility, Garage Maintenance & Repair Facility and Team Assembly Station, which is planned to be a joint use facility.

There was no other public testimony.

END OF PUBLIC HEARING

COMPREHENSIVE PLAN AMENDMENT NO. 06003

ACTION BY PLANNING COMMISSION:

May 24, 2006

Carroll moved approval, seconded by Cornelius and carried 5-0: Esseks, Cornelius, Carroll, Sunderman and Carlson voting 'yes'; Taylor, Strand, Larson and Krieser absent at time of vote. This is a recommendation to the City Council.

**PLANNING COMMISSION REVIEW EDITION
OF THE DRAFT SIX-YEAR CAPITAL IMPROVEMENTS PROGRAM.**

ACTION BY PLANNING COMMISSION:

May 24, 2006

Carroll moved to close public hearing and delay vote for two weeks, seconded by Cornelius and carried to 5-0: Esseks, Cornelius, Carroll, Sunderman and Carlson voting 'yes'; Taylor, Strand, Larson and Krieser absent.

DRAFT FY2007-09 AND 2010-12
TRANSPORTATION IMPROVEMENT PLAN.
ACTION BY PLANNING COMMISSION:

May 24, 2006

Carroll moved to close public hearing and delay vote for two weeks, seconded by Cornelius and carried to 5-0: Esseks, Cornelius, Carroll, Sunderman and Carlson voting 'yes'; Taylor, Strand, Larson and Krieser absent.

The Commission directed that these two items appear immediately following the Consent Agenda and Requests for Deferral on the Planning Commission agenda of June 7, 2006.

There being no further business, the meeting was adjourned at 5:20 p.m.

Please note: These minutes will not be formally approved until the next regular meeting of the Planning Commission on June 7, 2006.

ITEM NO. 4.6: CAPITAL IMPROVEMENTS PROGRAM
(Project 15, Wastewater, Page 138)
(Public Hearing- 5/24/06)



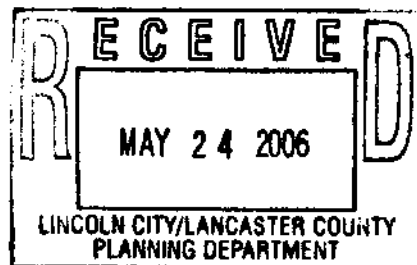
"Sara Friedman"
<sfriedman@neb.rr.com>
05/24/2006 07:25 AM

To <plan@lincoln.ne.gov>
cc
bcc
Subject sewage plant

I oppose the building of a sewage plant anywhere near Wilderness Park
or any area that we have put aside to preserve the natural land and water
Sewage and purity do not go together

Respectfully

Sara Friedman
1990 Ryons Street
Lincoln NE 68502-3863
PH 477-6050



SEACREST & KALKOWSKI, P.C.

A LIMITED LIABILITY ORGANIZATION

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KENT SEACREST
E-MAIL: kent@sk-law.com

DANAY KALKOWSKI
E-MAIL: danay@sk-law.com

May 24, 2006

Planning Commission
555 South 10th Street
Lincoln, NE 68508

Re: Item 4.6 – Planning Commission Review of the Draft Six Year Capital Improvements Program (“CIP”) FY 2006/2007 – 2011/2012

Dear Planning Commissioners:

Our office represents Eiger Corp., the developer of the Prairie Lake Shopping Center and owner of property located at South 84th Street and Highway 2. On November 13, 2001 Eiger entered into the Conditional Annexation and Zoning Agreement for S. 84th & Highway 2 with the City of Lincoln (“Annexation Agreement”). The Annexation Agreement outlines various obligations of the City to construct and/or fund improvements to Pine Lake Road between S. 84th Street and S. 98th Street, and S. 98th Street between Pine Lake Road and Highway 2. The Annexation Agreement states that “the City agrees to use its best efforts” to include the road projects in its Capital Improvement Program in fiscal year (i) 2004/2005 (Pine Lake Road from S. 84th Street through S. 91st Street) and (ii) 2005/2006 (Pine Lake Road from S. 91st Street to S. 98th Street); and to reimburse the Property Owners for portions of S. 98th Street in 2002 and 2007.

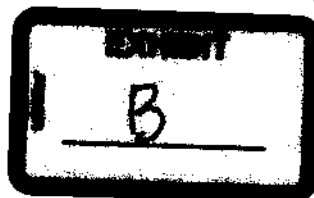
Based upon the obligations set forth in the Annexation Agreement, Eiger is requesting that the draft CIP be revised to show the construction of Pine Lake Road from S. 84th Street to S. 91st Street in Year 1 (2006/2007), and the construction of Pine Lake Road from S. 91st Street to S. 98th Street, and S. 98th Street from Pine Lake Road to approximately 400 feet north of Highway 2 in Year 2 (2007/2008).

We are in the process of setting up a meeting with representatives of the City to further discuss the above request.

Very truly,



DaNay Kalkowski
For the Firm





The Community of Opportunity

Chamber of Commerce

Infrastructure Financing and CIP Recommendations

For Board Action 5/18/06

The Lincoln Chamber Transportation & Public Works and Public Policy Committees jointly recommend the Lincoln Chamber Board should take up the following policy statements regarding near-term and long-term solutions on infrastructure financing issues and the Capital Improvement Program:

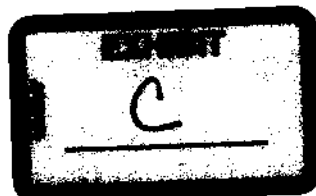
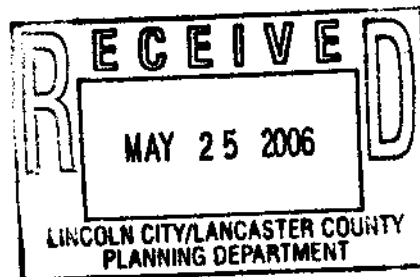
Near-Term

- 1) Encourage City Council to reverse the trend of operating expenses for the Public Works and Utilities Department coming out of road funds;
- 2) Support formation of an Advisory Council for Public Works;
- 3) Support a certain percentage of the mill levy dedicated to street construction;
- 4) Support having the portion of the wheel tax enacted specifically for new street construction dedicated for new street construction; and
- 5) Support continued efforts to educate the public.

Long -Term

- 6) Consider delaying the east leg transportation portion of the Antelope Valley;
- 7) Pursue Streets Only General Obligation Bond; and
- 8) Pursue 1 cent additional local option sales tax for infrastructure and economic development.

Unanimously Adopted 5/18/06



FROM:
Mary Roseberry-Brown
1423 F Street
Lincoln, NE 68508
May 23, 2006

TO:
Lincoln Planning Commission Members

RE: Lincoln Wastewater Management Options

You have before you a \$78.2 million dollar figure for Wastewater Projects in the Capital Improvement Program. Included under this figure are sewage trunk line projects and the purchase of a site for a Southwest Wastewater sewage treatment plant. I could find no itemization on the internet agenda as to how much of this figure is proposed for the actual site purchase.

I have attended two Open Houses and a presentation to our Friends of Wilderness Park group, all on the topic of a new sewage plant site. Nowhere, at any of the meetings, nor in a response to a letter which I wrote to the Wastewater Facility Committee, could I find any demonstration with documentation that a new sewage treatment plant is the best approach to provide for Lincoln's future wastewater needs.

Before any portion of the \$78.2 million is allocated for sewage plant site purchase, there needs to be an analysis done on different strategies for Lincoln's wastewater:

1.) There needs to be an itemized estimate of the expansion, operation, and maintenance costs of expanded Northeast, (North 70th Street) and/or Theresa Street Facilities over a long-term 30 to 50 year period into the future versus the cost of building and operating an additional new facility. Some cities are finding it cheaper to monitor and operate fewer larger sites, even including the cost of extra piping, than to maintain a greater number of smaller sites.

2.) Examination of different pipe routing options with an itemization of costs for different routes.

3.) Acceleration of the current program for repairing leaks in current sewer pipes.

4.) Establishing an ordinance and new building code standard requiring that when sump pumps are installed, piping to drain the pump outside the building must be installed. An education program on this matter be established.

The input into the Theresa Street Plant increases 500% in a heavy rain event just from illegal sump pump connections into the sewage system and sewage pipe leaking.

Five hundred percent less input could make a big difference in sewage plant needs. How big of a facility would be needed if these measures would be implemented?

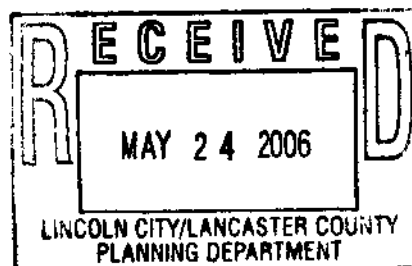
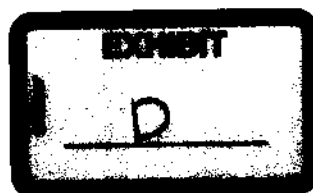
Since the sites chosen to be utilized or expanded would affect the type, size, and effects of the facility on its surroundings, the following points should be evaluated in a detailed analysis for each siting option before any further steps are taken.

The effects of discharge on the banks and beds of Salt Creek for each option.

The effects of discharge on temperature and aquatic life for each option

The effects of pharmaceuticals, hormones, chemicals, and antibiotics in the discharge for each option

The effects of odors for each option.



An evaluation of the different options would include the information that expanded North 70th Street and/or Theresa facilities would alleviate the following problems.:

Sewage discharge would not have to flow through the downtown, Haymarket, State Fair, and current residential areas of town but rather would flow northeast of town.

Creek water flows are higher in Salt Creek the farther northeast it flows. Sewage discharge would be more diluted . Nationwide, residual chemicals are being found in sewage discharge.

An accidental discharge of raw sewage is always possible, no matter how "state of the art" a plant is. With such an option being considered, this raw sewage would not have to flow through the downtown area.

This issue is both a concern of fiscal responsibility and of public health. In the name of good government, I am asking that an itemized, detailed, analysis be prepared, and made available for public review and comment before moving ahead with any allocation of money. It will be worth doing the project right if it is to affect generations 50 years from now.

Sincerely,

Mary Roseberry-Brown

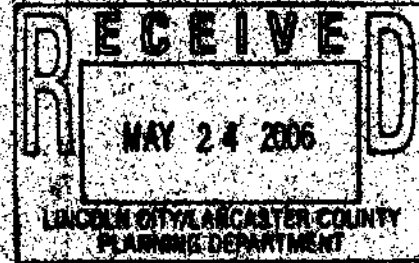
LYNN E. MOORER

ATTORNEY AT LAW

404 South 27th Street, Lincoln, NE 68510
Phone 402.474.2186; Fax 402.474.1911
E-mail lmoores@att.net

24 May 2006

Lincoln City / Lancaster County Planning Commission
655 S. 10th Street
Lincoln, NE 68508



Re: Proposed New Southwest Wastewater Facility, Capital Improvements
Program for FY 2006/2007 - 2011/2012

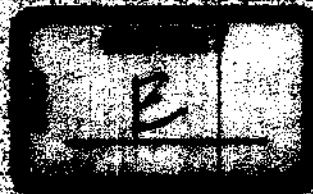
Dear Members of the Board:

I urge you to not approve Project 15 - Future Southwest Treatment Plant Site Acquisition - in the Capital Improvements Program for FY 2006/2007 - 2011/2012. At best, this project is ill-considered and premature.

The City of Lincoln has not yet demonstrated that building a new sewage treatment facility is the best management strategy to handle Lincoln's future wastewater needs. In addition, the City has not provided any studies or documentation to support the varying cost estimates quoted by City personnel regarding their current proposals.

It should also be noted that information that was to lead to recommendations regarding a new treatment facility has not been provided despite an explicit promise. Proponents of a new southwest sewage treatment facility cited screening criteria that were to be used in evaluation of regional areas. (Attachment 1) The materials distributed by the City regarding a new southwest treatment facility explicitly promised that the results of the community's consideration of the stated six screening criteria for siting, the ranking, and the associated weighting factors would be provided - "in graphical and table format" (Attachment 2, p. 1). This information has not been published despite this promise.

It is premature to acquire land for a new treatment plant in southwest Lincoln. The chief reason is that the plans for a new sewage treatment facility located in Lincoln, regardless of its proposed location, have not yet received adequate study and analysis. The 2003 Lincoln Wastewater Facilities Plan contains no analysis whatsoever regarding the need for, and options pertaining to, a third wastewater treatment facility. In fact, the Facilities Plan states (on p. 2) that it does not identify a need for a third wastewater treatment facility within the Tier I planning period, which is described as extending 25



years into the future, or until 2028. Thus, the Wastewater Facilities Plan provides no information or analysis that indicates that constructing a third sewage treatment plant is the preferred management strategy for Lincoln's future needs, much less that a site needs to be acquired at this time for such a plant.

Apparently no analysis has occurred regarding other wastewater management options, such as, for example, expanding the Theresa Street and/or Northeast Treatment Facilities in lieu of a new treatment plant, implementation of an aggressive water conservation program, or accelerating the current program for repairing leaks in current sewer piping. In sum, the City has not produced any evidence that a new, additional sewage treatment plant is the best idea as compared to other options that could well be less costly, more environmentally friendly, less destructive to the health and wellbeing of people, animals, and fish, and do a better job of preserving the urban, historic, and cultural qualities that we value in Lincoln.

It appears that there is enough time now to plan adequately with consideration of all management options to meet Lincoln's needs in the years after 2028. It is imprudent at this time to get ourselves on a management track that, without adequate analysis, heads us in the wrong direction for a need that is not expected to arise until at least 22 years into the future.

The latest science tells us that sewage treatment plants that meet all regulations still do not remove dozens of drugs, detergents, antibiotics and other substances from wastewater. A study issued in April 2006 by the Iowa Policy Project, in collaboration with the U. S. Geological Survey, found dozens of chemicals running into a creek downstream from a treatment plant that did not have unusual pollution problems. (Attachment 3) This recent study showed that treatment plants can be a significant source of small concentrations of contaminants in urban areas but that the number of contaminants drops off rapidly downstream from the plants. No federal water quality limits exist for most of the chemicals. The study scientists concluded that the effects of long-term, low-level exposure to these mixtures of emerging contaminants on aquatic life and humans are currently unknown and that more research is needed.

The point is that, in the interest of our community and its environment, we need to at least consider effects of wastewater discharges that neither EPA nor DEQ currently regulates. It is not prudent to assume that long-term exposure to the mixtures of contaminants that currently emerge from regulated wastewater treatment plants have detrimental effects at acceptable levels on aquatic life, animals, and humans.

I urge you to consider that the picture in 22 years may indicate that an additional sewage treatment plant is not wise policy. It may show that rather than having multiple treatment plants which, in turn, represent an increased number of discharge points with higher levels of pollutants spilling into more waterways, the better policy is to have a few centralized treatment plants which expose fewer waterways to pollutants. Taking measures to keep to a minimum the areas that embody a hostile environment to fish and other living things is the more prudent course.

There should also be consideration given to the fact that if a new sewage treatment plant is constructed, and assuming there are no major changes in federal law by the time it is built, a new plant will have to meet New Source Performance Standards. These standards require best available demonstrated control technology regardless of the cost. This means that a new wastewater treatment plant in Lincoln will mean greater cost for required technological controls than if the Theresa Street and/or Northeast Facilities were expanded. This is one of many factors that apparently has not been considered in the current proposal to build a new treatment plant in southwest Lincoln.

Without adequate consideration of alternative strategies and the relative benefits and costs for each, one cannot have any level of confidence that an additional wastewater treatment plant in any location is the best strategy that balances the City's wastewater management responsibilities with preservation of environmental, urban, historic, and cultural qualities at an affordable cost. Therefore, I recommend that a benefit-cost analysis, including an environmental evaluation, of a variety of management strategies for Lincoln's future wastewater be prepared. The analysis should incorporate operation and maintenance costs for each option. Where reasonable, options in combination should be evaluated. This analysis and evaluation should be prepared and made available for public review and comment before proceeding further with any new wastewater management strategy (such as a new southwest sewage plant).

The analysis should evaluate at least the following strategies / options:

1. An aggressive water conservation program.
2. Accelerating the current program for repairing leaks in current sewer piping.
3. Establishing an ordinance and new building code standards requiring that when sump pumps are installed, piping to drain the pump outside the building must be installed.
4. Expansion of the Northeast Treatment and/or Theresa Street Facilities instead of building additional sewage treatment facilities with several route options for piping, including along the Salt Creek right of way.
5. Construction of a new, additional sewage treatment facility.
6. Expansion, operation, and maintenance costs of expanded Northeast and/or Theresa Street Facilities over a long-term 30- to 50-year period into the future versus the cost of building and operating an additional new facility.

Since the sites chosen to be utilized or expanded would affect the type, size, effects, and level of facility to be built, the benefit-cost analysis, including environmental evaluation, should consider at least the following for each strategy / option:

1. The direct and indirect effects, benefits, and costs of the proposed option on people (adults and children), animals (including wildlife), and fish.
2. Commitments of resources and energy involved in the option, including any irreversible and irretrievable commitments.
3. Ways to preserve urban, historic and cultural quality.
4. Ways to conserve natural resources and to repair and/or minimize environmental damage.

5. Any adverse environmental, urban, historic, and cultural effects which cannot be avoided if the option is implemented.

Thank you for your careful consideration of this matter.

Sincerely,

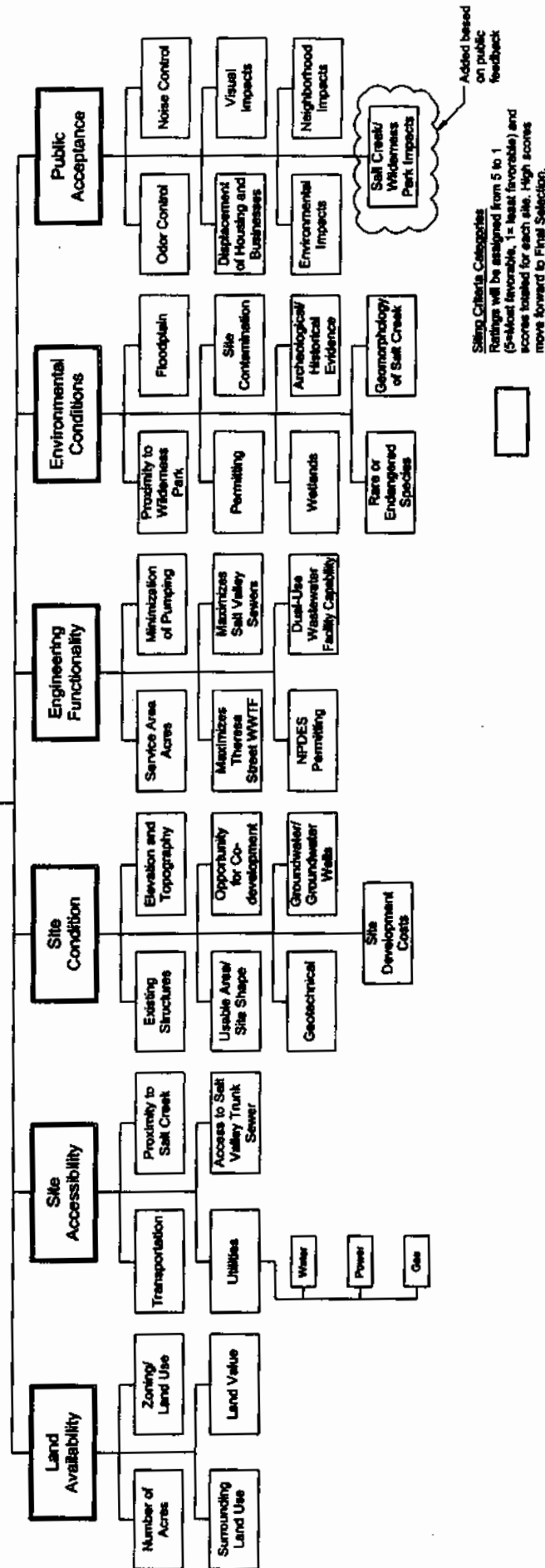
A handwritten signature in cursive script, reading "Lynn E. Moore", followed by a horizontal line.

Lynn E. Moore

Attachments (3)

March 8, 2008

Southwest Wastewater Facility Siting Criteria



City of Lincoln
Southwest Wastewater Facility Siting Study
Fact Sheet on Site Selection Criteria
February 2006

Project Overview

The purpose of this project is to conduct a siting study evaluation to determine viable locations for a future southwest wastewater facility to serve long-term growth needs for the City of Lincoln. The wastewater facility options will be planned and sized to accommodate tributary service areas for Tier II and Tier III development scenarios. Viable peak flow handling facility and treatment facility locations will be identified, screened, and evaluated in order to determine the best location(s) for a future peak flow handling facility and/or wastewater treatment facility. The future wastewater facility will not be needed by the City until after the year 2025.

Development is occurring in southwest Lincoln and this portion of the City will continue to develop during the next 20 years. As development progresses, available land space will decrease and thereby limit City options for future wastewater facility locations. It will be important to select a site location in 2006 so that land can be reserved or purchased in the near future to accommodate long-term City wastewater needs. In consideration of future City growth, the best long-term strategy is to optimize the existing sewer collection system and construct a wastewater facility in southwest Lincoln, rather than conveying future additional wastewater flow in southwest Lincoln to the Theresa Street Facility for treatment. In addition, the Salt Valley Sewer pipeline corridor has minimal space for construction of a third parallel sewer pipeline. Therefore, it is necessary to identify and reserve a site in southwest Lincoln to meet the City's future long-term wastewater treatment and peak flow handling needs.

Project Investigation & Evaluation

Background information and data has been gathered and reviewed for the investigated sites. Aerial and topographic maps, City flood plain maps, watershed planning maps, property ownership and zoning maps, utility maps (water, water wells, sewer, power, gas, fiber optic communications), future transportation plans and maps, and additional data provided by the City relating to potential sites has been gathered and reviewed. City agencies, including City-County Planning, Watershed Management, Parks & Recreation, Public Works, Lincoln Water, and Lincoln Wastewater, have provided information on long-range plans and projects within the study area. County and State agencies have also provided long-range planning information. Key protected lands in the study area such as Wilderness Park have been identified and evaluated.

Site Selection Criteria

Based on the information and data collected, site selection criteria were developed in coordination with LWWS staff and City agencies. The selection criteria categories listed below will be evaluated with consideration of 35 criteria as shown in the attached figure. Siting criteria definitions and the basis of evaluation for criteria are shown in the attached memorandum.

SITE SELECTION CRITERIA CATEGORIES

- Land Availability
- Site Accessibility
- Site Condition
- Engineering Functionality
- Environmental Conditions
- Public Acceptance

Screening Evaluation Process

The site selection criteria will be presented to all stakeholders and refined after input has been received. A site selection steering committee comprised of City agencies will review and screen the investigated sites and select approximately five regional areas for further evaluation. A decision management computer program will then be used to organize, evaluate, and communicate the decision-making process for the final evaluation.

Each regional area will be evaluated using the six screening criteria categories and associated weighting factors. Weighting factors will be determined through stakeholder input and a rating score for each proposed area will be calculated. Siting information and rankings will be presented in graphical and table format for effective communication with all stakeholders.

A sensitivity analysis will be conducted to determine how the screening criteria influence the overall rankings and a workshop will be conducted with LWWS and the steering committee to review the analysis. Real time revisions to the decision management model will be made during the workshop. Based on the workshop results, the recommended site or sites that best meet the criteria and objectives of the City will be determined and presented to the City of Lincoln.

It is anticipated that three public meetings will be conducted by LWWS and Black & Veatch during the Wastewater Treatment Facility Siting Study to present information and obtain feedback from the community. Site selection criteria will be presented for feedback during the first public meeting. The second public meeting is intended to solicit feedback on proposed regional circle areas for wastewater treatment facilities in southwest Lincoln. The final selected regional circle area for a wastewater treatment facility will be presented in the third public meeting and community feedback will be incorporated into final evaluation and report preparation.

DesMoines.com

The Des Moines Register

Published April 19, 2006

Research looks at pollutants in Ankeny wastewater

PERRY BEEMAN
REGISTER STAFF WRITER

The research

The Iowa Policy Project, a nonprofit research group, studied how everyday products, such as medications, soaps and perfumes, seep into the state's water. The group tested the water south of Ankeny in Four Mile Creek. It was chosen because most of its flow at times is treated water, not because Ankeny is in violation of any regulation.

Ankeny residents' treated sewage may help scientists learn more about a new concern about water quality - pollution from everyday activities that can include prescription drugs, antibacterial soap, perfumes and antacids.

Many Americans take at least one prescription drug a day, and occasionally use over-the-counter pain relievers or cold medicines. They excrete traces of those drugs, and sometimes inappropriately flush extra drugs down the toilet. Sewage treatment plants don't remove dozens of drugs, detergents, antibiotics and other substances, so the compounds end up in rivers.

Scientists aren't sure whether low levels of the various medicines, cosmetics and over-the-counter drugs pose a direct health threat to humans or animals, but the so-called "emerging contaminants" represent one of the biggest areas of water-quality research today.

Many studies have suggested that antibiotics alone are a problem, because they breed drug-resistant bacteria that could render the usual drugs useless against certain illnesses.

"Bacteria's resistance to antibiotics may also increase with the glut of new products available that include antimicrobial disinfectants such as liquid soaps, dishwasher powders and plastics," said Doug Schnoebelen, a federal research hydrologist and co-author of a new water-quality report by the Iowa Policy Project Report, a nonprofit research group based in Mount Vernon. "By increasing the antibiotic resistance of bacteria, these chemicals may also reduce algae diversity in streams and affect natural ecosystem functions such as soil microbial activity."

Other household compounds, such as cleaners and perfumes, are suspected of disrupting the reproduction of fish. Some may damage aquatic plants.

The issue has gained attention since U.S. Geological Survey scientists found a range of pharmaceuticals and other household compounds in a nationwide study published in 2002 and led by the USGS's Iowa City office.

The Iowa Policy Project today will release results of a study of Four Mile Creek south of Ankeny. The group picked Ankeny because the treated sewage makes up most of the creek's flow at times - not because Ankeny had any unusual pollution problems. The scientists stressed that the study would find similar findings below other plants, and that Ankeny met all regulations during the study period last year.

Several years ago, the city was fined for excessive ammonia discharges and fired a plant operator accused of tampering with samples.

The policy group, working with USGS scientists, turned up dozens of chemicals running down Four Mile Creek from the Ankeny plant.

The analysis by U.S. Geological Survey scientists found antibiotics, antacids and medicines. Sophisticated testing methods allow scientists to find even traces of the compounds. No federal water quality limits exist for most of the chemicals.

The new study confirms what many would suspect: Treatment plants can be a significant source of small concentrations of contaminants in urban areas. Antibiotics fed to livestock also pollute waters in many areas.

However, the samples also showed that the number of contaminants drops off rapidly downstream from the plants.

For example, the samples pulled in 2002 and 2005 found 11 compounds at low concentrations upstream from Ankeny's sewage-treatment plant. That jumped to 50 at the plant, where concentrations were nearly 10 times as high. As the chemicals moved downstream, the number found dropped to 47 at 1.8 miles downstream from the plant, with concentrations about the same. At 5.2 miles downstream from the plant, researchers found 35 compounds, but concentrations had fallen to four times the level found upstream from the plant.

A separate Iowa Geological Survey study in the same Ankeny creek in 2001 found three compounds upstream and 31 downstream.

Scientists say natural processes break down some of the chemicals as they move downstream. That includes the action of ultraviolet rays from the sun, and microbes in the water.

Attachment 3

The Iowa Policy Group tests checked for 100 different compounds, and found 50 at some point in the Ankeny area. The national study of samples taken in 1999 and 2000 from 139 streams in 30 states published in 2002 found some of the 95 compounds checked in 80 percent of streams sampled. In a USGS study of pollution at 10 major Iowa cities in 2001, researchers found herbicides, antibiotics or other pollutants in all 28 streams checked.

Scientists hope to start studying how those compounds affect aquatic plants and fish. "The effects of long-term, low-level exposure to these mixtures of emerging contaminants on aquatic life and humans are currently unknown," the Iowa Policy Project report said. "Research on the effects of emerging contaminants in the environment is only in the beginning stages." test

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Executive Summary

Chemicals of Concern

Iowa's First Field Research Area for Emerging Contaminants

Douglas Schnoebelen
Dana Kolpin
Larry Barber
Edward Furlong
Michael Meyer
Mary Skopec

April 2006

The Iowa Policy Project

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April 2006

Chemicals of Concern Iowa's First Field Research Area for Emerging Contaminants

By Douglas Schnoebelen, Dana Kolpin, Larry Barber, Edward Furlong, Michael Meyer and Mary Skopec

Emerging Contaminants: Chemicals of Concern

As Americans, we use a wide variety of chemicals in our homes and our jobs, whether we work at factories, on farms, or in offices. Recent research has shown compounds not previously considered contaminants are present in the environment.¹ These include human and veterinary prescription drugs, diagnostic agents, hormones, cosmetics, dyes, preservatives, detergents, and numerous other organic compounds. There are increasing concerns about the potential environmental effects that may occur from such "emerging contaminants" (ECs). ECs are defined as:

Any synthetic or naturally occurring chemical or any microorganism that is not commonly monitored in the environment, but has the potential to enter the environment and can cause suspected adverse ecological and/or human health effects. In some cases, release of emerging chemical or microbial contaminants to the environment has likely occurred for a long time, but may not have been recognized until new detection methods were developed. In other cases, synthesis of new chemicals or changes in use and disposal of existing chemicals can create new sources of emerging contaminants.²

Most ECs are not routinely monitored. Indeed, water-quality monitoring in the United States is largely driven by regulations of the Clean Water Act and Safe Drinking Water Act. Over the last three decades, much of the water-quality monitoring work has focused almost exclusively on the conventional "priority pollutants," however this is only one piece of the larger environmental puzzle.³ Recently ECs have begun to be examined in limited studies using newly developed laboratory analytical methods and techniques allowing detection at much lower levels. Furthermore, the possibility that environmental contaminants may be complex mixtures that can interact synergistically or antagonistically has increased the need to understand ECs.

In order to minimize ecologic effects from ECs, it is essential to understand how a contaminant moves and is altered in the environment. Investigations of processes influencing transport (e.g. sorption, dispersion, degradation, etc.) require a systematic evaluation of a variety of hydrologic, landscape and anthropogenic factors. The purpose of this paper is to provide a short synopsis of ECs as potential contaminants of concern and to highlight an 8-km reach of Fourmile Creek in central Iowa as an ideal research site to investigate the transport, fate and effects from an urban source of ECs.

Possible Effects of ECs: Endocrine Disruption and Antibiotic Resistance

The potential toxicological behavior from the environmental occurrence of ECs and mixtures of ECs are largely unknown. In particular, the effects of ECs on aquatic organisms are difficult to measure because concentrations of these compounds are generally low (nanogram per liter range) and, over the life of the organism produce no acutely toxic effects. However, detrimental effects to organisms from ECs may be subtle and go unnoticed until some cumulative threshold is reached. In recent years, the presence and effects of endocrine disrupting compounds (EDCs) in the environment has become an important issue.⁴ The endocrine system is the “key control system” of most organisms.

The presence of low concentrations of some chemicals in the environment (e.g. natural and synthetic hormones, alkylphenols, pesticides, solvents and pharmaceuticals) could affect or damage the function of the endocrine system.⁵ For example, nonylphenol (a detergent degradation product found in laundry and dish detergents), and AHTN (a polycyclic musk found in perfumes, laundry products, air fresheners and cosmetics) have been shown to disrupt reproduction and growth in fish by affecting endocrine systems.⁶ A variety of ECs have been shown to bioaccumulate in fish tissue.⁷ Data from laboratory experiments suggest that EDCs in the aquatic environment may impact the reproductive health of fish populations.⁸ Linking EDCs to observed changes in fish populations, however, remains an open challenge.⁹ As the ecological risk assessment of EDCs is in its infancy stage, less is known about potential effects to other aquatic species, yet early research suggests effects to aquatic organisms are possible.¹⁰

Antibiotics are an important class of pharmaceuticals and their prevalence in the last 60 years has brought dramatic and often even “miraculous” progress in fighting bacterial infections in humans and animals. In livestock farming, sub-therapeutic doses of antibiotics are often used to promote more rapid animal growth.¹¹ Despite their widespread use, antibiotics have only recently received attention as environmental contaminants. However, the increase of resistant bacterial strains and the spread of bacterial resistance have become a worldwide concern.¹² Concerns also exist for antibiotic use and increasing antibiotic resistance in livestock confined feeding operations.¹³ Many antibiotics are only partially metabolized after administration to humans or animals.¹⁴ Concentrations of select antibiotics in animal manure have been reported at milligrams per liter levels (they are typically reported at parts per billion levels).¹⁵

Antibiotics can reach streams and ground water via a variety of mechanisms and the potential for the aquatic environment to promote or maintain antibiotic resistance is largely unknown. Some chemicals, such as triclosan (an antimicrobial disinfectant found in many liquid soaps, dishwasher powders and plastics), are suspected of increasing the antibiotic resistance of bacteria in the environment,¹⁶ reducing algae diversity in streams,¹⁷ and affecting natural ecosystem functions such as soil microbial activity.¹⁸ In addition, research has shown effects of mixtures of antibiotics to aquatic organisms.¹⁹

Evolution of Fourmile Creek as a Research Site for ECs

Following a national stream reconnaissance study,²⁰ water samples were collected in 2001, upstream and downstream of select towns and cities in Iowa during low-, normal- and high-flow conditions to determine the contribution of urban centers to concentrations of ECs in streams under varying

flow conditions.²¹ This study found the number of ECs detected decreased as streamflow increased from low- (51 ECs detected) to normal- (28) to high-flow (24) conditions. Fourmile Creek near Ankeny, Iowa, was initially sampled for ECs during this study and results showed a strong gradient in EC detections during low-flow conditions between samples collected upstream of Ankeny (three ECs detected) compared to samples collected downstream (31 EC detected).

The initial EC results from Fourmile Creek,²² led to including this stream as part of collaborative research between the U.S. Geological Survey (USGS) and the U.S. Environmental Protection Agency to better understand the fate of ECs following their discharge from wastewater treatment plants (WWTPs).²³ This research involved collecting four samples at each of 10 WWTPs across the nation: upstream of the WWTP, at the WWTP where effluent was being discharged into the stream, at a location in close proximity downstream of the WWTP, and at a location farther downstream from the WWTP. All samples were measured for 110 different ECs. Between 28 and 50 ECs were found in treated wastewater effluent being discharged to streams.²⁴ The similarity in chemical concentrations between WWTP effluent and proximal downstream sampling points clearly shows the contribution of WWTPs to EC concentrations in streams. Additional knowledge gained from Fourmile Creek during this study included:

1. the ECs detected in Fourmile Creek during the previous study²⁵ were primarily derived from the Ankeny WWTP (see Figure 1),
2. there are significant reductions of the number of ECs detected and total EC concentrations through the 8.4 km study reach (Figure 1);
3. ECs vary in their type of transport (conservative versus nonconservative) through the study reach (see Table 1),
4. at low-flow conditions, greater than 90 percent of the streamflow is derived from WWTP discharge.²⁶

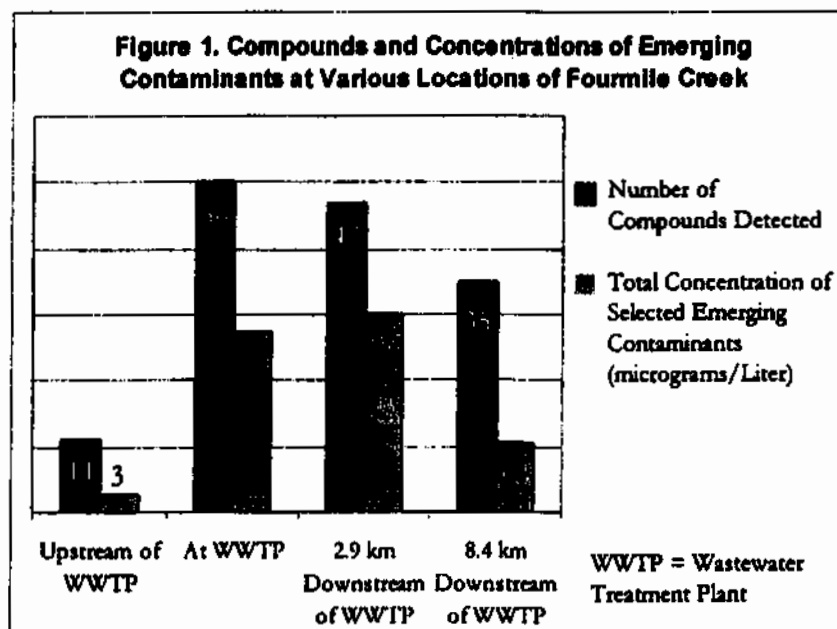


Table 1. Selected Compounds Detected, Primary Use, Reporting Level, and Concentration from Samples Collected at Various Locations of Fourmile Creek

from samples collected at various locations of / Ganga river					
Compound	Primary Use	Reporting Level	Upstream of WWTP	WWTP	8.4 km
		($\mu\text{g/L}$)		Effluent	Downstream of WWTP
(concentration in ($\mu\text{g/L}$))					
Cimetidine	Antacid	0.012	undetected	0.123	0.107
Dehydronifedipine	Antianginal	0.015	undetected	0.202	0.018
Diltiazem	Antihypertensive	0.016	undetected	0.053	0.029
Diphenhydramine	Antihistamine	0.015	undetected	0.218	undetected
Sulfamethazole	Antibiotic	0.064	undetected	0.589	0.321
Tonalide (AHTN)	Fragrance, musk	0.500	undetected	2.300	0.700
Trimethoprim	Antibiotic	0.013	undetected	0.353	0.093

In 2003, the USGS EC Project²⁷ was searching for a real-world setting to investigate the complex in-stream processes (e.g. dilution, sorption, degradation, dispersion, etc.) that can affect ECs following their discharge from a WWTP and determining if such input is having an effect on the aquatic ecosystem. Such research requires the integration of multi-disciplinary efforts at a carefully selected field site. Knowledge gained from previous research²⁸ and other unique aspects of Fourmile Creek led to its selection as a field setting to help answer these important research questions. Critical aspects of Fourmile Creek include the following:

1. A single source WWTP effluent-dominated stream. This allows for the examination of EC concentrations as water moves downstream without complications from additional inputs.
2. Data documented the input of a wide variety of ECs from WWTP discharge. Previous research found between 3 and 10 ECs present upstream of the WWTP and between 30 and 50 downstream.³⁰
3. Small basin size (less than 160 km² size). This facilitates an increased understanding of the transport and fate of environmental contaminants.
4. Relatively simple flow system. Little to no ground-water or surface-water inputs to streamflow exist in Fourmile Creek during normal flow conditions. Thus, any changes in EC concentrations observed downstream can be attributed to in-stream processes.
5. Data documented that ECs vary in their type of transport. Undefined processes are taking place within the stream that affect EC concentrations.
6. The WWTP uses a treatment technology (conventional activated-sludge) typical of many towns and cities across the United States. Thus, the source is representative of many similar sources in the United States.
7. The hydrogeologic setting (low-gradient stream, glaciated deposits, rowcrop agriculture) is typical of the Midwest.
8. A low-head dam exists approximately 2 km upstream of the WWTP outfall. The dam provides a physical barrier to fish migration. Thus, comparisons in fish community structure and fish health assessment can be made to more accurately determine potential effects from the input of ECs by the WWTP. Research has found a range of abnormalities in fish populations (vitellogenin induction in males and juvenile females, development of oocytes in testes, etc.) downstream of WWTPs.³¹

9. A major change is anticipated to the primary source of ECs in the system. Around 2010, the WWTP is scheduled to close. This closure provides a unique opportunity to examine how a stream and aquatic biota react to the removal of the primary source of ECs and allows a novel "before" and "after" assessment not been previously available in EC research.

Future Work

Future work on ECs will involve not only the occurrence of these compounds, but also their fate, transport and possible effects in the environment. Several large-scale studies in the United States by the USGS Toxic Substances Hydrology Program have already documented the occurrence of ECs in the environment.³² These studies have shown that a wide variety of ECs are commonly detected in streams, streambed sediment, and ground water as complex mixtures of compounds. Other studies have documented the occurrence of ECs globally.³³ Many of these same EC compounds have been detected in a study of Iowa's streams.³⁴ Indeed, the data on ECs collected at Fourmile Creek are consistent with similar national studies. However, the effects of long-term, low-level exposure to these mixtures of emerging contaminants on aquatic life and humans are currently unknown. Research on the effects of ECs in the environment is only in the beginning stages.

The field research site established at Fourmile Creek will continue to build a framework for better understanding of the transport, fate, and effects of ECs in the environment. One goal of the field research site at Fourmile Creek is to move beyond documenting the occurrence of these compounds to examine what happens to these compounds once they enter the environment and their potential effects to aquatic ecosystems.

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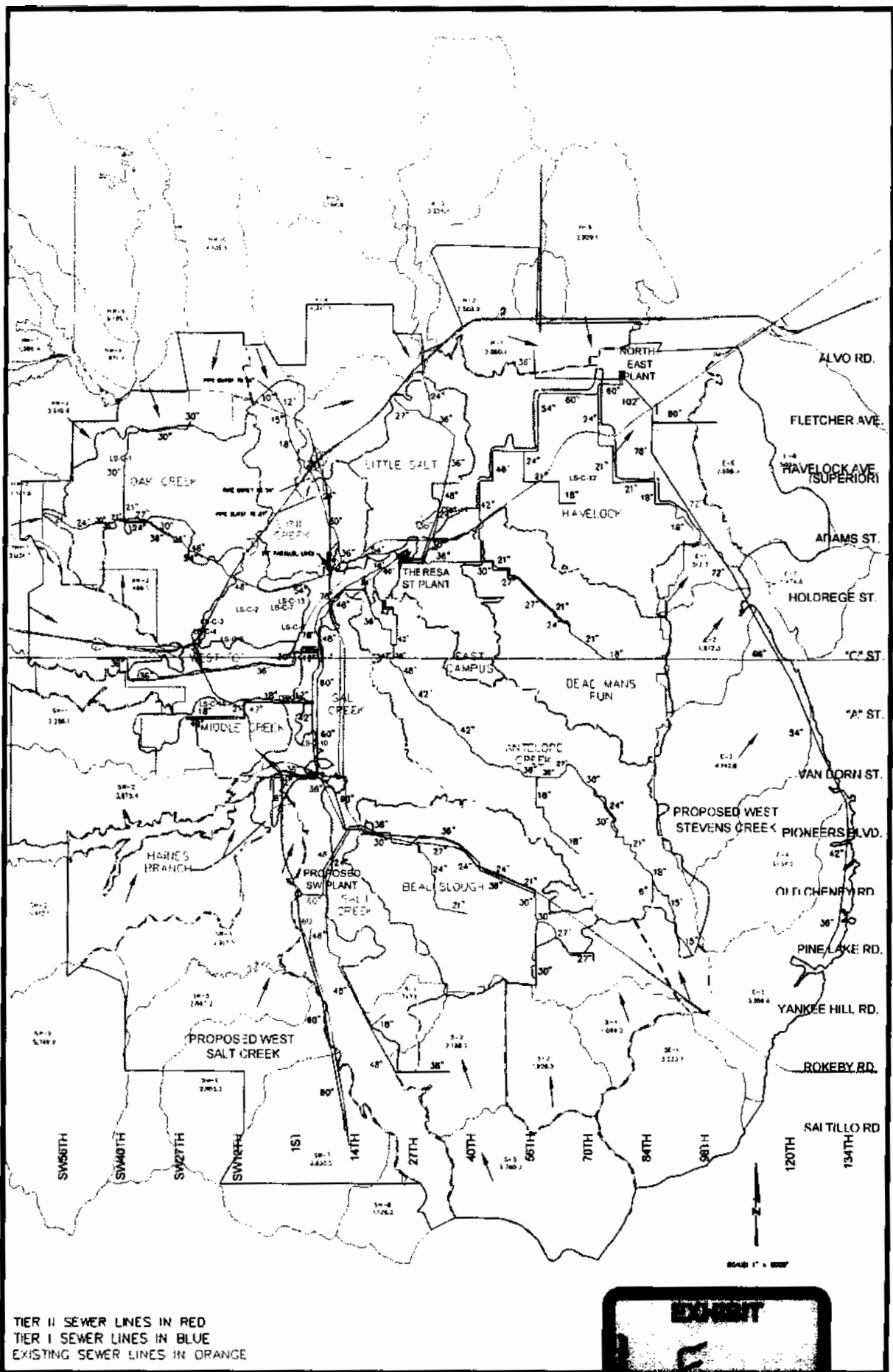
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Lincoln Wastewater System Facilities Plan Update Chapter 8: Sanitary Sewer Basins

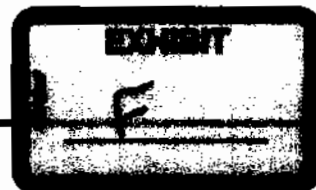


Figure 8-2
 TIER II DEVELOPMENT

May 24, 2006

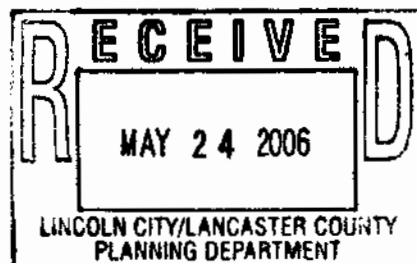
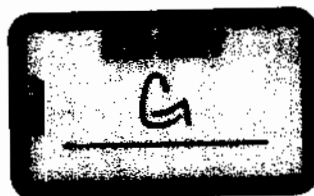
My name is Dan Lutz, I am a resident of the East Campus area of northeast Lincoln. I am here primarily to learn more about the complex equation of treating an increasing amount of sewage generated in our growing city, while protecting the environment and achieving a desirable cost-benefit ratio in regards to either expanding existing facilities or building a new treatment facility.

I would like to be assured that the current wastewater system is in top condition before a possible new treatment plant and site are formally approved.

I understand that a new wastewater treatment facility is proposed for a site in southwest Lincoln. Is serious consideration being given to expansion of the Northeast Lincoln Treatment Plant at 7600 N. 70th St.? To handle an increased load, would an addition to the Theresa St. plant also be considered to avoid sewage discharge flow through the heart of Lincoln to a southwest site?

Finally, in analyzing and considering a new Southwest treatment plant, have appropriate and involved city officials and technical experts identified direct and indirect effects, benefits and costs of this proposed option on contiguous residents and the affected environment, which would include wildlife and possible ramifications regarding Wilderness Park?

Thank you for your consideration and I will look forward to more specific details in short and long range planning and a precise cost-benefit analysis made available to the public regarding the proposed new waste water treatment facility and possible alternative approaches.





"Linda Schrock"
<lschrock@alltel.net>
05/31/2006 07:36 PM

To <plan@lincoln.ne.gov>, <council@lincoln.ne.gov>
cc
bcc
Subject Proposed Southwest Wastewater Treatment Facility

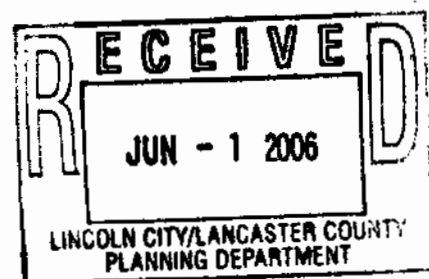
I am writing to express my concern about the proposed Southwest Wastewater Treatment Facility which would drain into Salt Creek by Wilderness Park.

I would encourage the Planning Commission to postpone taking any steps toward acquisition of land for an additional sewage treatment plant until after a comprehensive cost benefit analysis has been done, including the environmental effects of different options. The cost analysis should include an itemized estimate of the expansion, operation, and maintenance costs of expanded Northeast and/or Theresa Street Facilities over a long-term 30 - 50 year period into the future versus the cost of building and operating an additional new facility. It should also include a thorough examination of different pipe routing options with an itemization of costs for different routes; acceleration of the program for repairing leaking sewer pipes and a building code requiring that sump pumps drain be piped outside a building.

Sewage discharge should flow to the northeast of Lincoln where there is much higher creek flow, thereby avoiding draining sewage through Wilderness Park and downtown Lincoln. There is always a danger of emergency discharge of raw sewage into the Creek.

Thank you for your consideration.

Linda J. Schrock





"kkh641"
<kkh641@alltel.net>
05/31/2006 09:28 PM

To <plan@lincoln.ne.gov>
cc
bcc
Subject Southwest Waste Water Treatment Plant

Sirs,

Please let it be known that I oppose the Southwest Waste Water Treatment Plant near wilderness park .

I feel that the beautiful park that is wilderness park will be irreparably harmed should that treatment plant be allowed.

Thank You for your time.

Kevin Harvey
402-742-4505

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